

federal register

September 18, 1973—Pages 26093-26171

TUESDAY, SEPTEMBER 18, 1973

WASHINGTON, D.C.

Volume 38 ■ Number 180

Pages 26093-26171



HIGHLIGHTS OF THIS ISSUE

This listing does not affect the legal status of any document published in this issue. Detailed table of contents appears inside.

NATIONAL HUNTING AND FISHING DAY —Presidential Proclamation	26099
FIRE PREVENTION WEEK, 1973 —Presidential Proclamation	26101
CIGARETTE TESTS —FTC lists tar and nicotine content of 130 varieties of domestic cigarettes.....	26161
ENVIRONMENTAL IMPACT STATEMENTS AND COMMENTS —EPA list for August.....	26148
MEDICARE ENROLLMENT —HEW proposal on supplementary insurance program; comments by 10-18-73.....	26132
COMMERCIAL FISHERY RESOURCES —Commerce Department amendments on financial assistance to State agencies for research and development; effective 9-18-73.....	26116
NEW DRUGS—	
FDA effectiveness classification for azuresin diagnostic test.....	26137
FDA evaluation of tridihexethyl chloride and phenobarbital tablets.....	26138
BIOLOGICAL PRODUCTS—	
FDA proposes additional standards for Limulus Amebocyte Lysate; comments by 11-19-73.....	26130
USDA proposes standard requirements for certain viruses, serums, toxins and analogous products; comments by 11-16-73.....	26118
FOOD ADDITIVES —FDA notice of withdrawal of petition providing for the use of alpha phenyl indole as a heat stabilizer	26139
MORTGAGE AND LOAN INSURANCE PROGRAMS —HUD proposes waiver of eligibility requirements; comments by 10-19-73.....	26132
SAVINGS AND LOAN ASSOCIATIONS —FHLBB imposes certain limitations and requirements on service corporations; effective 10-19-73.....	26109
OIL IMPORT APPEALS BOARD —Revised regulations, effective 9-18-73.....	26103

(Continued Inside)

REMINDERS

NOTE: There were no items published after October 1, 1972, that are eligible for inclusion in the list of RULES GOING INTO EFFECT TODAY.

federal register

Phone 523-5240

Area Code 202



Published daily, Monday through Friday (no publication on Saturdays, Sundays, or on official Federal holidays), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, under the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER provides a uniform system for making available to the public regulations and legal notices issued by the Executive Branch of the Federal Government. These include Presidential proclamations and Executive orders and Federal agency documents having general applicability and legal effect, documents required to be published by Act of Congress and other Federal agency documents of public interest.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$2.50 per month or \$25 per year, payable in advance. The charge for individual copies is 20 cents for each issue, or 20 cents for each group of pages as actually bound. Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

MEETINGS—

NIH: Lung Cancer Segment Advisory Group, 9-20-73....	26139	HEW: National Professional Standards Review Council Subcommittee on data and norms, 9-26 and 9-27-73..	26140
Working Group of Biochemistry of the Multiple Sclerosis ad hoc Scientific Advisory Committee, 9-26 and 9-27-73.....	26139	Implementation of the National Blood Policy, 9-24-73.....	26140
Working Group on Clinical Studies of the Multiple Sclerosis ad hoc Scientific Advisory Committee, 9-24 and 9-25-73.....	26139	National Professional Standards Review Council Subcommittee on Policy Development, 10-6-73.....	26140
Working Group on Immunology of the Multiple Sclerosis ad hoc Scientific Advisory Committee, 9-28 and 9-29-73.....	26139	DOT: Boating Safety Advisory Council 10-30 and 10-31-73.....	26140
Working Group on Pharmacology of the Multiple Sclerosis ad hoc Scientific Advisory Committee, 9-21 and 9-22-73.....	26139	Science Advisory Committee, 10-10 and 10-11-73..	26146
		EPA: Training Priorities Subcommittee, 9-27-73.....	26151
		National Air Pollution Manpower Development Advisory Committee, 9-27-73.....	26151
		NASA: Infrared Telescope Site Evaluation Advisory Committee, 9-17 and 9-18-73.....	26163
		National Advisory Committee on Oceans and Atmosphere; 9-27, 9-28, 9-29-73.....	26163

Contents

THE PRESIDENT

Proclamations	
Fire Prevention Week, 1973.....	26101
National Hunting and Fishing Day	26099

EXECUTIVE AGENCIES

AGRICULTURAL MARKETING SERVICE

Rules and Regulations	
Grapefruit; minimum grade and size regulations.....	26108

AGRICULTURE DEPARTMENT

See Agricultural Marketing Service; Animal and Plant Health Inspection Service.

ALCOHOL, TOBACCO, AND FIREARMS BUREAU

Notices	
Granting of relief.....	26137

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

Proposed Rules	
Viruses, serums, toxins, and analogous products; evaluation methods and procedures.....	26118

ASSISTANT SECRETARY FOR HOUSING PRODUCTION AND MORTGAGE CREDIT

Proposed Rules	
Mortgage and loan insurance programs; waiver of eligibility requirements	26132

ATOMIC ENERGY COMMISSION

Notices	
Maine Yankee Atomic Power Co.; oral argument.....	26147

CIVIL AERONAUTICS BOARD

Rules and Regulations	
Fees and charges for special services; correction.....	26113

Notices

Hearings, etc.:

Business Jets, Pty., Ltd.....	26147
International Air Transport Association (2 documents).....	26147
Priority and nonpriority domestic service mail rates.....	26148

COAST GUARD

Rules and Regulations	
Drawbridge operation regulations; Miner Slough, Calif.....	26115

Notices

Boating Safety Advisory Council; meeting	26140
Equipment, construction, and materials; approval and termination (5 documents).....	26140-26145
Science Advisory Committee; meeting	26146

COMMERCE DEPARTMENT

See National Oceanic and Atmospheric Administration.

COST OF LIVING COUNCIL

Notices	
Administrator, Office of Price Stabilization; delegation of authority	26164

CUSTOMS SERVICE

Notices	
Foreign currencies; certification of rates	26137

DISEASE CONTROL CENTER

Notices	
Tuberculosis and venereal disease; renewal of control advisory committees	26137

ENVIRONMENTAL PROTECTION AGENCY

Notices	
Environmental impact statements; availability of EPA comments	26148
Metropolitan Baltimore Intrastate Regional Plan; opportunity for public comment.....	26151
National Air Pollution Manpower Development Advisory Committee; meeting.....	26151

FEDERAL AVIATION ADMINISTRATION

Rules and Regulations	
Transition area; designation.....	26112

FEDERAL HOME LOAN BANK BOARD

Rules and Regulations	
Insured institutions; service corporation subsidiaries.....	26109

Proposed Rules

Service corporation joint ventures; withdrawal.....	26133
---	-------

FEDERAL INSURANCE ADMINISTRATION

Rules and Regulations	
Areas eligible for the sale of insurance; status of participating communities (3 documents).....	26113, 26114

FEDERAL MARITIME COMMISSION

Notices	
Orders of Revocation:	
AAAA Luther Moving & Storage, Inc	26151
Global Forwarding Co.....	26152

FEDERAL RESERVE SYSTEM

Rules and Regulations	
Interest on deposits; protection of depositors	26109

Notices

Hearings, etc.:	
Atlantic Bancorporation.....	26152
Central Bancorporation.....	26152
Continental Illinois Corp.....	26152
Fidelity Corporation of Oklahoma	26153
Financial Data Systems, Inc.....	26153
First National Boston Corp. (2 documents).....	26154, 26163
First Steuben Bancorp Inc.....	26153
Lloyds Bank Ltd.....	26153
Marine Midland Banks Inc.....	26153
Perpetual Corp. and Pierce National Life Insurance Co.....	26153
Philadelphia National Corp.....	26156
Republic National Bank of Dallas	26157
Southeast Banking Corp.....	26159
Southwest Florida Banks Inc.....	26159
Standard and Chartered Banking Group Ltd.....	26159
Wyoming Bancorporation.....	26160

(Continued on next page)

FEDERAL TRADE COMMISSION**Notices**

- Cigarette testing; tar and nicotine content 26161
- Quarterly financial statistics program; procedures for use of confidential individual company data 26162

FISH AND WILDLIFE SERVICE**Rules and Regulations**

- Hunting; special regulations for individual wildlife refuge areas (4 documents) 26115, 26116

FOOD AND DRUG ADMINISTRATION**Proposed Rules**

- Limulus amebocyte; proposed additional standards 26130

Notices

- Azuresin with caffeine and sodium benzoate; follow-up notice of effectiveness 26137
- Certain drugs containing tridihexethyl chloride with phenobarbital; drug efficacy study implementation 26138
- Combination steroid-sympathomimetic nasal spray; correction 26139
- Fine Organics, Inc.; withdrawal of petition for food additives 26139
- Upjohn Co.; methoxyphenamine hydrochloride; correction 26139

GENERAL SERVICES ADMINISTRATION

See Public Buildings Service.

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See also Disease Control Center; Food and Drug Administration; National Institutes of Health; Social Security Administration.

Notices

- Implementation of National Blood Policy; meeting 26140
- National Professional Standards Review Council Subcommittee on Data and Norms; meeting 26140
- National Professional Standards Review Council Subcommittee on Policy Development; meeting 26140

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

See also Assistant Secretary for Housing Production and Mortgage Credit; Federal Insurance Administration.

Rules and Regulations

- Adequacy of replacement housing; grievance procedures; claims review 26113

INDIAN AFFAIRS BUREAU**Proposed Rules**

- Distribution of assets; Jackson Rancheria, Amador County, Calif.; correction 26118

INTERIOR DEPARTMENT

See Fish and Wildlife Service; Indian Affairs Bureau.

INTERSTATE COMMERCE COMMISSION**Notices**

- Freight rates and charges for 1973; retirement tax increases; Long Island Rail Road Co. 26164
- Motor carrier board transfer proceedings 26165
- Motor carrier temporary authority applications 26165
- Practices of motor common carriers of household goods; extension of time 26164

NATIONAL ADVISORY COMMITTEE ON OCEANS AND ATMOSPHERE**Notices**

- Partially closed meeting 26163

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**Notices**

- NASA Infrared Telescope Site Evaluation Advisory Committee; notice of meeting 26163

NATIONAL INSTITUTES OF HEALTH**Notices****Meetings:**

- Lung Cancer Advisory Group 26139
- Working Group on Biochemistry 26139
- Working Group on Clinical Studies 26139
- Working Group on Immunology 26139
- Working Group on Pharmacology 26139

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION**Rules and Regulations**

- Commercial fisheries; research and development 26116

OIL IMPORT APPEALS BOARD**Rules and Regulations**

- Oil import regulations 26103

PUBLIC BUILDINGS SERVICE**Notices**

- National Guard Training Area; Ft. Crowder, Mo.; transfer of property 26162

SECURITIES AND EXCHANGE COMMISSION**Proposed Rules**

- Registered investment companies; fidelity bonds of officers and employees 26133

Notices

- Notice of application:
First International Bancshares, Inc. 26163
- Motorola, Inc. 26163

SOCIAL SECURITY ADMINISTRATION**Proposed Rules**

- Federal health insurance for the aged; supplementary medical insurance enrollment 26132

TRANSPORTATION DEPARTMENT

See also Coast Guard; Federal Aviation Administration.

Notices

- Commandant of the Coast Guard; delegation of authority 26146

TREASURY DEPARTMENT

See Alcohol, Tobacco, and Firearms Bureau; Customs Service.

List of CFR Parts Affected

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears following the Notices section of each issue beginning with the second issue of the month. In the last issue of the month the cumulative list will appear at the end of the issue.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1973, and specifies how they are affected.

3 CFR	14 CFR	24 CFR
PROCLAMATIONS:	71..... 26112	42..... 26113
4242..... 26099	389..... 26113	1914 (3 documents)..... 26113, 26114
4243..... 26101	17 CFR	PROPOSED RULES:
7 CFR	PROPOSED RULES:	205..... 26132
944..... 26108	270..... 26133	242..... 26132
9 CFR	20 CFR	244..... 26132
PROPOSED RULES:	PROPOSED RULES:	25 CFR
113..... 26118	405..... 26132	PROPOSED RULES:
12 CFR	21 CFR	243..... 26118
217..... 26109	PROPOSED RULES:	32A CFR
561..... 26110	273..... 26130	OIAB Rules and Procedures..... 26103
563..... 26110		33 CFR
566..... 26112		117..... 26115
570..... 26112		50 CFR
PROPOSED RULES:		32 (4 documents)..... 26115, 26116
545..... 26133		253..... 26116

Presidential Documents

Title 3—The President

PROCLAMATION 4242

National Hunting and Fishing Day

By the President of the United States of America

A Proclamation

Hunting and fishing appeal to many Americans.

They provide an opportunity for our people to be outdoors, to travel, and to enjoy the blessings of nature. The result is that both the cause of conservation and the spirit of man are benefitted. Through the purchase of licenses and permits, the payment of excise taxes on hunting and fishing equipment, and voluntary contributions, the hunter or fisherman plays a vital role in the betterment of the Nation's wildlife resources and in support of hunting and boating safety programs.

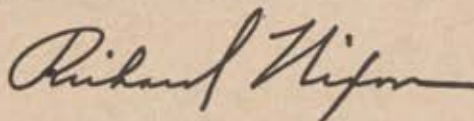
The American people have been coming to realize in recent years that the environment of man is one with the environment of fish and wildlife—that which harms one harms the other. This is a truth which has always been understood by the Nation's sportsmen. They have long been active in the effort to protect and renew our environment and we will continue to look to them for leadership in this vital area.

In recognition of the many worthwhile contributions of the American hunter and angler, the Congress, by House Joint Resolution 210, has requested the President to declare the fourth Saturday of September, 1973 as National Hunting and Fishing Day.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate Saturday, September 22, 1973, as National Hunting and Fishing Day.

I urge all our citizens to join with outdoor sportsmen in the wise use of our natural resources and in insuring their proper management for the benefit of future generations.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of September, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-eighth.



[FR Doc. 73-19910 Filed 9-14-73; 3:42 pm]

Practical Documents

The following documents are

to be used in the course of

the study of the subject of

the history of the

of the

The first document is a letter from the President of the United States to the Congress, dated January 1, 1801. It contains a statement of the state of the Union and a recommendation of measures for the improvement of the country.

The second document is a report of the Secretary of the Treasury, dated February 1, 1801. It contains a statement of the state of the Treasury and a recommendation of measures for the improvement of the country.

The third document is a report of the Secretary of the Navy, dated March 1, 1801. It contains a statement of the state of the Navy and a recommendation of measures for the improvement of the country.

The fourth document is a report of the Secretary of the War, dated April 1, 1801. It contains a statement of the state of the War and a recommendation of measures for the improvement of the country.

The fifth document is a report of the Secretary of the Interior, dated May 1, 1801. It contains a statement of the state of the Interior and a recommendation of measures for the improvement of the country.

The sixth document is a report of the Secretary of the State, dated June 1, 1801. It contains a statement of the state of the State and a recommendation of measures for the improvement of the country.

The seventh document is a report of the Secretary of the War, dated July 1, 1801. It contains a statement of the state of the War and a recommendation of measures for the improvement of the country.

The eighth document is a report of the Secretary of the State, dated August 1, 1801. It contains a statement of the state of the State and a recommendation of measures for the improvement of the country.

Fire Prevention Week, 1973

PROCLAMATION 4243

By the President of the United States of America

A Proclamation

Scarcely a day passes that we do not read of a tragic fire which has destroyed life or property somewhere in our land. Each year more than 12,000 lives are lost from fires in America and an additional 300,000 people suffer serious injury. Fires also cause a staggering loss in terms of property damage. Each year the cost in property destroyed by fires in this country is more than \$3 billion while another \$8 billion is spent on additional fire costs.

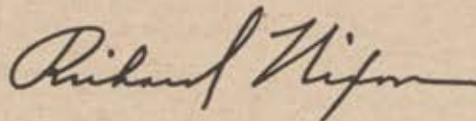
While this needless waste cannot be halted completely, we know that active fire prevention can do much to reduce these terrible misfortunes. Two years ago, I appointed a National Commission on Fire Prevention and Control which has since reported its findings concerning our Nation's fire problem. The Commission's strong emphasis on fire prevention is persuasive and sensible. It encourages us to place a greater priority on the work of preventing fires before they start rather than simply working to put them out after they begin.

Accidents are often acts beyond our control, but careless accidents can be prevented. Every American must recognize his or her responsibility to make fire prevention an effective national commitment.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week beginning October 7, 1973, as Fire Prevention Week.

I urge all our citizens to involve themselves personally in fire prevention activities in their own communities, working with local fire departments and local governments as well as with the National Fire Protection Association. I also request all Federal agencies, in cooperation with the Federal Fire Council, to conduct effective year-round fire prevention programs in order to help reduce the terrible loss of life and property from fires.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of September, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-eighth.



[FR Doc.73-19910 Filed 9-14-73;3:42 pm]

THE HISTORY OF THE

PROGRESS OF THE

ART OF PRINTING

IN GREAT BRITAIN

FROM THE FIRST

INTRODUCTION OF THE

ART INTO THE COUNTRY

TO THE PRESENT

PERIOD

OF THE

ART

OF PRINTING

IN GREAT BRITAIN

FROM THE FIRST

INTRODUCTION OF THE

ART INTO THE COUNTRY

TO THE PRESENT

PERIOD

OF THE

ART

OF PRINTING

IN GREAT BRITAIN

FROM THE FIRST

INTRODUCTION OF THE

ART INTO THE COUNTRY

TO THE PRESENT

PERIOD

OF THE

ART

OF PRINTING

IN GREAT BRITAIN

Rules and Regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 32A—National Defense, Appendix

CHAPTER XI—OIL IMPORT APPEALS BOARD

OIAB—RULES AND PROCEDURES

The Oil Import Appeals Board seeks petitioners' cooperation and assistance in providing the Board with sufficient information in order that the Board may continue to process all petitions fairly, efficiently, and promptly. The Oil Import Appeals Board considers it advisable to publish a revision of its procedural regulations as set forth below. Authority of the Board to effect such revision is as stated in the revised regulations.

One purpose of the revision is to incorporate into the Board's regulations the recent changes in Oil Import Regulation 1, 32A CFR Chapter X, as amended, which implement the Mandatory Oil Import Program established by Presidential Proclamation 3279, 24 FR 1781 (March 10, 1959), as amended; 38 FR 9654-9656 (April 19, 1973); 38 FR 16195-16201 (June 21, 1973). Another purpose of the revision is to incorporate existing practices adopted by the Board to conform to the above listed changes in Regulation 1 and to established guidelines referred to below.

Major revisions have been made in sections 3 and 6 of the Board's regulations, and a new section 7 has been added. The revised section 3 sets out the Board's enlarged jurisdiction, including its new power to grant rebate of license fees paid. Section 6, as revised, continues the requirement that all petitions filed with the Board be accompanied by completed questionnaires and sets out the established Board practice of requiring responses to the Guidelines published by the Chairman of the Oil Policy Committee, 38 FR 10811-10812 (May 2, 1973). These revisions enable the Board to better evaluate petitions before it under the Guidelines and enable petitioners more easily to obtain relief where justified.

In order to expedite the processing of petitions, if possible without hearings, the Board has published two questionnaires, 38 FR 9840-9841 (April 20, 1973), 38 FR 10649 (April 30, 1973), relating to crude and unfinished oils or to finished product petitions. The new section 7 recites the questionnaires as revised to update them in accordance with the above mentioned Guidelines and the changes to Regulation 1. The previous section 7 and succeeding sections in the former rules have been renumbered and edited, and they are included herein for completeness.

Other revisions appear in sections 4, 17 and 22. Section 4 is revised to clearly

state the Board's requirement that petitioner's representative file his name, address, and telephone number and that it is petitioner's duty to inform the Board of any change in its representative. In the revised section 17 the Board's existing requirement that a petitioner must demonstrate a reasonable justification for in camera treatment of information contained in the filing is more clearly set out. Section 22 has been revised to more clearly state the requirement that petitioners promptly notify the Board of any change in circumstances subsequent to the filing of the petition which would affect petitioner's merit to receive or retain a Board allocation.

This revision of the Board's regulations incorporates changes in the Mandatory Oil Import Program already effective and existing practices adopted simultaneously to implement those changes. Because of this and to conform with existing guidelines, to publish the revisions as proposed rulemaking would serve no useful purpose and would not be in the public interest. Accordingly, the revised regulations as set forth below shall be effective on September 18, 1973.

Dated August 31, 1973.

SETH M. BODNER,
Member.
GEORGE H. SCHUELLER,
Member.
DANIEL HARRIS,
Chairman.

The revised text of Chapter XI reads as follows:

- Sec.
- 1 Purpose.
 - 2 Establishment of Board.
 - 3 Authority of the Board.
 - 4 Representation before the Board.
 - 5 Types of petitions; time and place to file.
 - 6 Content of petition.
 - 7 Data required by the Board to accompany petitions.
 - 8 Hearings on petitions.
 - 9 Notice of hearing.
 - 10 Unexcused absence of a petitioner.
 - 11 Conduct of hearing.
 - 12 Consolidation.
 - 13 Briefs, memoranda of law, documentary evidence, and other information.
 - 14 Statements by interested persons other than petitioner.
 - 15 Private communications prohibited.
 - 16 Participation by the Office of Oil and Gas.
 - 17 In camera orders.
 - 18 Decisions of the Board.
 - 19 Reconsideration of decisions.
 - 20 Reopening of proceedings.
 - 21 Clerical mistakes.
 - 22 Duty to inform the Board.
 - 23 Record open to the public.

AUTHORITY: Proclamation No. 3279 of March 10, 1959, as amended, 24 FR 1781, 10133, as amended, 38 FR 16195; sec. 232 of The Trade Expansion Act of 1962, 76 Stat. 877; and Oil Import Regulation 1, Revision 5, as amended (Amendment 59), 38 FR 19820.

Sec. 1 Purpose.

These rules govern the procedures on petitions to the Oil Import Appeals Board, hereinafter referred to as the "Board." They shall be construed to secure the just, speedy, and inexpensive determination of every proceeding.

Sec. 2 Establishment of Board.

Pursuant to section 4 of Presidential Proclamation 3279, dated March 10, 1959 (24 FR 1781), as amended, hereinafter referred to as the "Proclamation," the Board was established by section 21 of Oil Import Regulation 1 (24 FR 1907), as revised and amended. Oil Import Regulation 1 is hereinafter referred to as the "Regulation." The Board is comprised of a representative each from the Departments of the Interior, Justice, and Commerce, designated respectively by the heads of such Departments. The Department of the Interior member serves as chairman.

Sec. 3 Authority of the Board.

(a) The Board, subject to the general direction of the Chairman of the Oil Policy Committee, shall consider petitions by persons affected by the Regulation that fall within the limits of the jurisdiction specified in this paragraph and without regard to the limits of the maximum levels of imports established in section 2 of Proclamation 3279, as amended, may:

(1) Reverse or modify on grounds of error actions taken by the Director, Office of Oil and Gas, Department of the Interior, on applications for allocations of imports under the Regulation;

(2) Modify, on the grounds of exceptional hardship, any allocation made to any person under the Regulation;

(3) Grant allocations of imports of crude oil and unfinished oils in special circumstances to persons with importing histories who do not qualify for allocations under the Regulation;

(4) Grant allocations of imports of finished products on grounds of exceptional hardship;

(5) Grant allocations of imports of crude oil, unfinished oils and finished products to independent refiners or established independent marketers who are experiencing exceptional hardship, or in emergencies in order to assure, insofar as practicable, that adequate supplies are available;

(6) Review the revocation or suspension of any allocation or license;

(7) Review the denial by the Director, Office of Oil and Gas, Department of the Interior, of refunds of license fees, whether in whole or in part, theretofore paid by a person; and

(8) Grant refunds, in whole or in part, of license fees paid by persons to whom licenses were issued for imports which they subsequently became entitled to make under allocations made by the Board.

(b) Only petitions relating to matters covered by paragraph (a) of this section may be considered by the Board. Petitions requesting a change or disregard of the proclamation or the Regulation may not be considered.

(c) Except with respect to its function to review applications for allocations of imports to which license fees are applicable, licenses issued pursuant to Board allocations shall be fee exempt.

(d) The Board may adopt, promulgate, and publish such rules and procedures as it deems appropriate for the conduct of its business.

(e) The Board may take such actions on petitions as it deems appropriate and its decisions shall constitute final action.

Sec. 4 Representation before the Board.

Subject to the provisions contained in Part 1 of Title 43, Code of Federal Regulations, a petitioner may appear in person, by counsel or other qualified representative, and participate fully in any proceeding before the Board held pursuant to these rules.

Petitioner's representative must file his full name, address, and telephone number with the Board. Should petitioner change his representative, it is petitioner's duty to so inform the Board.

Sec. 5 Types of petitions; time and place to file.

(a) Several types of petitions may be filed with the Board requesting it to take action within its jurisdiction as set out in section 3 or other related provision of these regulations or in Oil Import Regulation 1.

(b) Petitions and related documents shall be addressed to the Oil Import Appeals Board and filed with the Board (address: Oil Import Appeals Board, Department of the Interior, 4015 Wilson Boulevard, Arlington, Va. 22203 (telephone number 703 557-9220)).

(c) A petition requesting review of any action taken by the Director, Office of Oil and Gas, Department of the Interior, must be filed with the Board not later than 30 calendar days after the action has taken place. The Board, at its discretion, may extend the time limit in which to file upon a showing of good cause.

Sec. 6 Content of petition.

(a) A petition must be in writing, signed by the petitioner or his duly authorized representative or attorney, clearly marked as "petition," and filed in six copies. Each petition shall be organized under six headings, as follows:

(1) The relief sought by the petitioner, expressed in barrels per day (b/d) and

in total barrels (bbls.) during the applicable allocation period;

(2) The pertinent provisions of the Regulation under which the Board has authority to grant such relief;

(3) The decision of the Director, Office of Oil and Gas, Department of the Interior, involved in the petition, if any;

(4) The relevant facts in support of the petition;

(5) The arguments in support of the petition;

(6) Responses to the guidelines published by the Chairman of the Oil Policy Committee in Title 32A CFR Chapter XII for the Board's use in evaluating petitions. The responses must be under the heading of each of the published guidelines and provide sufficient information to enable the Board to evaluate the petition under each.

(b) Each petition shall be accompanied by the pertinent data—finished product or crude and unfinished oils—with the information sought set out under the headings of the pertinent format as set forth in either section 7(a) or 7(b).

Sec. 7 Data required by the Board to accompany petitions.

(a) In order to process petitions for finished product import allocations the Board requires the data and information as set forth below. Submit six completed copies of this material, identifying each item by the number and precise heading appearing herein. Make attachments, if necessary. Quantity figures should be stated in terms of gallons and in terms of barrels, unless questions herein are specified otherwise.

(1) Full name of petitioner, address of principal office and name and telephone number of company official responsible for the petition.

(2) Company ownership. If petitioner is not a sole proprietorship, list all companies, individuals or stockholders possessing 10 percent or more of company ownership or stock.

(3) The relief requested (expressed in barrels per day and total barrels), the particular commodity requested, and the specific period for which relief is requested.

(4) All domestic subsidiaries and affiliates, if any, in which petitioner holds an interest of 15 percent or more.

(5) Market area, specifying Districts, in which petitioner, its subsidiaries or affiliates operate.

(6) All brand names which petitioner, its subsidiaries or affiliates use in marketing products.

(7) State whether petitioner, its subsidiaries or affiliates sell products to (a) motorists, (b) home owners, (c) industrial and other commercial accounts, (d) governmental agencies, (e) farmers, and (f) to independent marketers for resale without brand names or under brand names different from the brand name(s) used by petitioner, its subsidiaries or affiliates.

(8) State for each of the last 3 years petitioner's gross sales separately by product for the particular product(s) which are the subject of the petition,

and, where such sales are made, specify figures for: (a) gasoline, (b) No. 2 fuel oil, (c) residual fuel oil, (d) other products or services (Estimate where appropriate). Also state your gross sales to date and estimates for the balance of the current allocation period.

Calendar year	Quantity			Dollars
	Gallons	Barrels	Barrels per day (average)	

With respect to (a) gasoline and (b) No. 2 fuel oil, state the approximate percentages of those gross sales which were made to the various types of customers described in item 7 above.

(9) List your actual and/or prospective suppliers for the current allocation period of the product(s) for which you seek an import allocation. Indicate the quantities already obtained as well as offered or expected during the allocation period and the delivered price:

Supplier	Quantity			Delivered price per gallon
	Gallons	Barrels	Barrels per day (average)	

State which of the above supplies are subject to (a) long-term contracts (6 months or longer), (b) short-term or ever-green contracts, and (c) spot purchases.

(10) List your past suppliers of the product(s) for which you seek import allocations in each of the last 3 years, the quantity supplied, and delivered price:

Calendar year	Supplier	Quantity supplied			Delivered price per gallon
		Gallons	Barrels	Barrels per day	

State which of the above supplies were subject to (a) long-term contracts (6 months or longer), (b) short-term or ever-green contracts, and (c) spot purchases. If past suppliers terminated any supply contracts or allocated deliveries for the current year, state the name(s) of such supplier(s), the circumstances of contract termination, and the actual amount by which deliveries were or will be reduced.

(11) State, showing docket number, all previous filings by the petitioner with the Board in the present and 3 preceding years, all Board awards received as a result of these filings, and the amounts imported, exchanged, or otherwise obtained by the authority of such awards. Unused awards should be explained.

(12) List all suppliers contacted for the product(s) for which you seek import allocations for the current allocation period who did not offer any product or offered it at noncompetitive prices:

Supplier	Quantity offered		Delivered price per gallon
	Gallons	Barrels	

Provide the Board with any adequate responses from your suppliers which are or may be in violation of any government sponsored allocation program.

(13) State your average selling price for the product(s) for which you seek import allocations, in each of the last 3 years and in the current year:

Calendar year	Product(s)	Average price per gallon
---------------	------------	--------------------------

(14) State your operating costs (per gallon) for the product(s) for which you seek import allocations, in each of the last 3 years, and an estimate of such costs for the current year. Give a detailed breakdown of such costs:

Calendar year	Product(s)	Operating costs
---------------	------------	-----------------

(15) State your inventory of the product(s) for which you seek import allocations, on the last day of December of each of the last 3 years:

Calendar year	Product(s)	Inventory	
		Gallons	Barrels

(16) List and describe storage facilities, transportation equipment, and any other equipment or installations relevant to the petroleum industry owned or controlled by your company, its subsidiaries or affiliates. State whether products are supplied to you by tanker, barge, pipeline, railroad, or motorized equipment.

(17) If your company, its subsidiaries or affiliates supply retail outlets or service stations which they own or lease, or which sell products under a trade name owned or controlled by your company, its subsidiaries or affiliates, state the average number of such retail outlets and service stations supplied during each of the last 3 years and in the current year.

(18) State, in dollars, for each of the last 3 years, the after-tax profit or loss record of your company, its subsidiaries

and affiliates, and an estimate of such profit or loss for the current year. Indicate whether these figures cover calendar of business years. Separate, if possible, profits or losses on product(s) for which you seek import allocations and profits or losses on other products and services. (Estimate, if necessary). With respect to total profits or losses, state what percentages of total sales and service revenues they represent:

Year	Profit or loss on product(s) for which you seek import allocations	Profit or loss on other products and services	Total profit or loss	Percent of total revenues from sales and services
------	--	---	----------------------	---

(19) State for each of the last 3 years on the basis of the respective balance sheets or profit-and-loss statements of your company, its subsidiaries and affiliates:

- (i) Net worth or stockholders equity;
- (ii) The amount of retained earnings;
- (iii) Ratio of current assets to current liabilities;

(iv) Long-term debts;

(v) State the cost of petitioner's investment, if any, during the current and last allocation periods, in new or substantially improved petroleum related facilities, together with a brief description of such facilities;

(vi) If petitioner is a corporation, the amounts paid out in dividends.

(20) Name the principal competitors of your company, its subsidiaries and affiliates, in the business of marketing petroleum products. (Depending on size of petitioner's operations, not more than five to ten competitors should be named.)

(21) The undersigned certifies that the above data and information are true and complete to the best of his knowledge and belief _____

(signature)

(b) In order to process petitions for crude and unfinished oils import allocations the Board requires the data and information as set forth below. Submit six completed copies of this material, identifying each item by number and precise heading appearing herein. Make attachments if necessary. Quantity figures should be stated in terms of barrels per day and in terms of total barrels per year, unless questions herein are specified otherwise.

(1) Full name of petitioner, address of principal office and name and telephone number of company official responsible for petition.

(2) Company ownership. If petitioner is not a sole proprietorship, list all companies, individuals or stockholders possessing 10 percent or more of company ownership or stock.

(3) The relief requested (expressed in barrels per day and total barrels), and whether the request is for offshore or Canadian crude oil, or for unfinished oils, or both, and the specific period for which relief is requested.

(4) All domestic subsidiaries and affiliates, if any, in which petitioner holds an interest of 15 percent or more.

(5) Location and rated capacity of each domestic refinery owned or controlled by petitioner.

(6) Average daily inputs of each refinery listed in item 5 above: (a) of crude oil and (b) of other raw materials, in each month of the last 3 calendar years, and in each elapsed month of the current allocation period.

(7) From data given in response to item 6 above, calculate and set out the combined daily average inputs of all refineries listed (a) of crude oil and (b) of other raw materials, during each of the last 3 calendar years.

(8) The volumes of (a) crude oil import allocations and (b) finished products import allocations received by the petitioner in the current year and in each of the 3 preceding years from the Office of Oil and Gas or Oil Import Administration, and the amounts imported exchanged or otherwise obtained by the authority of such awards. Unused awards should be explained.

(9) State, showing docket number, all previous filings by petitioner with the Board in the present and 3 preceding years, all Board awards received as a result of these filings, and the amounts imported, exchanged or otherwise obtained by the authority of such awards. Unused awards should be explained.

(10) The approximate product yields (as percentage of total production) at each refinery listed in item 5 above during the current allocation period and the two preceding years.

(11) The number of retail outlets which distributed products under a trade name owned or controlled by your company and the total quantity of gasoline you supplied to them during each elapsed quarter of (a) the current allocation period and (b) last year.

(12) The percentages of your total production of (a) gasoline, (b) No. 2 fuel oil, and (c) residual fuel oil which you sold to independent marketers during each quarter of the last calendar year. With respect to each of said product categories indicate what portions of such sales involved exchanges for finished product import licenses that had been issued to independent marketers.

(13) The quantities of (a) gasoline, (b) No. 2 fuel oil, (c) residual fuel oil, and (d) other products which you sold to, or exchanged for crude oil with, any other petroleum refining company during the last calendar year.

(14) Specify the domestic and foreign sources (indicating company names) of crude oil supplies and other refinery feedstocks obtained by the petitioner and the quantities received from each, in each of the last 3 years, separated into quantities received pursuant to: (a) Long-term contracts (6 months or longer); (b) Short-term or evergreen contracts; or (c) Spot purchases. Indicate which of these quantities involved the utilization of import licenses issued to the petitioner.

Year	Source of supply	Quantity		Type of contract
		Barrels	Barrels per calendar day	

(15) For each quarter of the last calendar year, list the average effective cost per barrel of petitioner's crude oil or other raw material supplies delivered to the refinery.

(16) List your actual and/or prospective suppliers for the current allocation period of crude oil and other refinery feedstocks. Indicate the quantities already obtained as well as offered or expected during the current allocation period:

Supplier	Quantity		Delivered price per barrel
	Barrels	Barrels per calendar day	

State which of the above supplies are subject to (a) Long-term contracts (6 months or longer), (b) Short-term or ever-green contracts, (c) Spot purchases.

To the extent that purchases already have been consummated or contract prices have been fixed, indicate the average effective cost per barrel of such crude oil supplies delivered to the refinery. Indicate also which of the supplies listed in response to this question involve the utilization of import licenses issued to petitioner.

(17) State whether petitioner is a participant in the government royalty oil program and what quantities have been or are expected to be received during the current allocation period.

(18) List all suppliers contacted for the product(s) for which you seek import allocations for the current allocation period who did not offer any product or offered it at noncompetitive prices.

Supplier	Quantity		Offered delivered price per barrel
	Barrels	Barrels per calendar day	

Provide the Board with any inadequate responses from your suppliers which are or may be in violation of any government sponsored allocation program.

(19) A brief description of ownership participation of petitioner in crude pipelines (including gathering systems) in finished product pipelines, and in inland water transportation equipment.

(20) Type and capacity of crude oil storage facilities at each refinery listed in item 5 above at the time of filing of the petition, and a brief description of mode of crude oil delivery to such facilities (pipeline, tanker, barge, railroad, etc.).

(21) Crude oil inventory at each refinery listed in item 5 above at the time of filing of the petition.

(22) Submit the following financial information. State whether the data cover calendar or business years, and whether figures are calculated before or after Federal Income Tax. Publicly held corporations should submit copies of the latest annual stockholders' report.

(i) What proportion, in terms of dollars, of petitioner's total income is derived from its petroleum business, specifying the amount of income from:

(a) Refining crude oil.
(b) Production of crude oil.
(c) Domestic distribution of finished product, i.e., gasoline, fuel oil, etc.

(ii) State petitioner's total net profits or losses as well as its net profits or losses from its petroleum business for each of the last 3 years.

(iii) State the percentage which such total profits represent:

(a) Measured on net worth.
(b) Measured on sales.
(iv) State the amount of petitioner's retained earnings.

(v) State petitioner's ratio of current assets to current liabilities.

(vi) State the cost of petitioner's investment, if any, during the current and last allocation periods, in new or substantially improved petroleum related facilities, together with a brief description of such facilities.

(23) The undersigned certifies that the above data and information are true and complete to the best of his knowledge and belief _____ (signature).

Sec. 8 Hearings on petitions.

A petitioner may request a hearing before the Board on his petition by submitting an unqualified request therefor, in writing, with the filing of his petition. The Board in its discretion may grant a hearing. Where a hearing has not been requested by the petitioner, the Board may, in its discretion, schedule a hearing on the petition. Hearings will be scheduled in the discretion of the Board with due consideration to the regular order of filing of petitions and other pertinent factors. On request and for good cause shown, the Board may in its discretion advance or postpone a hearing. A party failing to request a hearing as provided in this section may be deemed to have submitted his case upon the Board record.

Sec. 9 Notice of hearing.

The petitioner shall be given at least 14 calendar days' notice of the time and place set for hearings, unless otherwise agreed. Such notice will apprise the petitioner of the requirements of section 13 of this regulation for submission of briefs, memoranda of law, documentary evidence or other necessary information. In scheduling hearings the Board will give due regard to the desires of the petitioners and to the requirement for just and prompt disposition of petitions. Public notice of the scheduling of a hearing will also be posted in the office of the Board.

Sec. 10 Unexcused absence of a petitioner.

The unexcused absence of a petitioner at the time and place set for hearing will not be occasion for delay. In the event of such absence the hearing will proceed and the case will be regarded as submitted by the absent petitioner on the record before the Board. The Board shall advise the absent petitioner of the content of the proceedings and that he has 5 days from the receipt of such notice within which to show cause why the petition should not be decided on the record made.

Sec. 11 Conduct of hearing.

(a) Any member of the Board may conduct a hearing.

(b) Hearings shall be as informal as may be reasonable and appropriate in the circumstances and shall be public. Petitioner may offer at a hearing such relevant evidence as he deems appropriate, subject to the sound discretion of the presiding member in supervising the extent and manner of presentation of such evidence and subject to the requirements of section 13(b) of this regulation. In general, admissibility will hinge on relevancy and materiality. Arguments bearing on the policy embodied in the proclamation or in the regulation shall not be received. Letters or copies thereof, affidavits, or other evidence not ordinarily admissible under the generally accepted rules of evidence, may be admitted in the discretion of the presiding member. The weight to be attached to evidence presented in any particular form will be within the discretion of the Board, taking into consideration all the circumstances of the particular case. Stipulations of fact agreed upon by a petitioner and the Director of the Office of Oil and Gas, or his representative, may be regarded and used as evidence at the hearing. The petitioner and the Office of Oil and Gas may stipulate the testimony that would be given by a witness if the witness were present. The Board may in any case require evidence in addition to that offered by a petitioner.

(c) Witnesses before the Board will be examined orally under oath or affirmation, unless the facts are stipulated, or the Board shall otherwise order. If the testimony of a witness is not given under oath, the Board shall call to the attention of the witness the provisions of Title 18, United States Code, sections 287 and 1001, prescribing penalties for knowingly making false representations in connection with claims against the United States or in any matter within the jurisdiction of any department or agency thereof. The Board may, in its discretion, permit Government officials participating in the hearing to examine any witness.

(d) Hearings will be recorded verbatim and transcripts thereof shall be made, costs of transcripts to be borne by the requesting parties.

Sec. 12 Consolidation.

Upon good cause shown, or upon its own initiative, the Board may at the same time hear or decide two or more petitions, if it determines that such action is appropriate.

Sec. 13 Briefs, memoranda of law, documentary evidence, and other information.

(a) The Board may on its own initiative require the filing, either before or after hearing, of briefs, memoranda of law, documentary evidence, or any other information it considers necessary for the disposition of a petition.

(b) Any briefs, memoranda, documents, statistics, and other data and statements, but not including witnesses' testimony, to be presented or used at a hearing, shall be filed in six copies with the Board not later than 6 days, exclusive of Saturdays, Sundays, Federal legal holidays and other nonbusiness days, prior to the date of hearing.

Sec. 14 Statements by interested persons other than petitioner.

(a) Persons interested in opposing or supporting a petition, other than petitioner, may file in six copies with the Board written statements on issues raised by the petition at any time prior to 7 calendar days before the scheduled date of the hearing on the petition. At the same time such statement is filed with the Board, a copy shall be sent to the petitioner or his representative by the interested person. The petitioner may file in six copies with the Board a written reply within 7 calendar days after receiving such statements.

(b) Persons interested in opposing or supporting a petition other than petitioner, may file in six copies with the Board written statements on issues raised by the hearing within 7 calendar days following said hearing, unless extension is granted by the Board for good cause. At the same time such a statement is filed with the Board, a copy shall be sent to the petitioner or his representative by the interested person. The petitioner may file in six copies with the Board a written reply within 7 calendar days after receiving such statements, unless extension is granted by the Board for good cause.

(c) The Board will not consider statements made pursuant to paragraph (a) or (b) of this section or section 16 of this regulation unless copies have been furnished to petitioners or their representatives in a timely fashion by the interested persons.

Sec. 15 Private communications prohibited.

Oral or written communications by petitioners, interested private parties, or their agents, concerning the facts or law of a petition, or policy of the Board, will not be considered by individual members of the Board, unless such communications are made part of the record before the Board.

Sec. 16 Participation by the Office of Oil and Gas.

A copy of each petition filed with the Board and a copy of each written statement on issues raised by a petition filed pursuant to section 14 of this regulation will be forwarded promptly to the Director, Office of Oil and Gas, for purposes of information and for any comment which the Director may deem appropriate and wish to submit to the Board. Any comment submitted to the Board by the Director must be filed with the Board and sent to the petitioner or his representative. The Board, when possible, will advise the Director, at least 1 week in advance, of the time and place of any hearing which may be scheduled upon a petition and will request that the Director or his representative appear at the hearing and present information and arguments on behalf of the Office of Oil and Gas.

Sec. 17 In camera orders.

(a) Upon request by the petitioner the Board may order that oral testimony or written evidence which discloses trade secrets or privileged commercial or financial information be placed in camera. However, in camera treatment will be granted on a limited basis for specific portions of petitioner's presentation. Granting of in camera treatment requires a clear showing by petitioner that publication of the material in question would have an adverse competitive or other detrimental effect upon petitioner's business. The order shall include: (1) A description of the specific data assembled from the petition and questionnaire or other specific document or testimony for in camera treatment, and (2) a concise statement of the reasons for granting in camera treatment.

(b) Documents and transcripts of testimony subject to in camera orders shall be segregated from the public record and filed separately under the in camera order. Subject to the provisions of paragraph (c) of this section, documents and transcripts subject to an in camera order will be made accessible only to the petitioner, his counsel, authorized Board personnel, members of the Board, and court personnel concerned with judicial review. The right of the Board and of reviewing courts to disclose in camera data to the extent necessary for the proper disposition of the proceeding is specifically reserved.

(c) Documents and transcripts of testimony subject to an in camera order shall be released to third parties only if required by law.

Sec. 18 Decisions of the Board.

(a) In its evaluation of a petitioner's request the Board will consider the guidelines published by the Chairman of the Oil Policy Committee in Title 32A CFR Chapter XII and the responses to those guidelines filed with the Board by said petitioner.

(b) Concurrence of any two Board members shall be sufficient to constitute

a decision of the Board. Decisions of the Board shall be in writing and are final and not subject to administrative review.

(c) Each decision upon a petition to the Board will contain a concise statement of the reasons for the Board's action.

(d) A copy of the decision shall be furnished promptly to the petitioner or his representative. All decisions of the Board shall be available for inspection by the public.

Sec. 19 Reconsideration of decisions.

Not later than 30 calendar days after issuance of a decision of the Board, a petitioner may file with the Board a petition for reconsideration of such decision, setting forth the relief desired and the grounds which justify reconsideration. Such petitions must be clearly labeled as "petition for reconsideration." The Board, within its discretion, may decide the matter on the petition, or it may schedule a public hearing thereon in accordance with section 8 of this regulation. The Board may specify any issues on which it desires to hear arguments. The Board, within its discretion and upon showing of good cause, may extend the time limit in which to file a petition for reconsideration.

Sec. 20 Reopening of proceedings.

(a) *Reopening prior to decision.* At any time prior to its decision, on its own motion or at the request of an interested party, the Board may reopen the proceeding for the reception of further evidence.

(b) *Reopening after decision.* Whenever, during the applicable allocation period, a petitioner subject to a decision of the Board is of the opinion that material changes of fact or of law, which occurred after issuance of the decision, warrant that such decision be altered, modified, or set aside, such petitioner may file with the Board a petition requesting a reopening of the proceeding for that purpose. Such petition shall state the relief desired, the specific changes of fact or of law warranting a reopening of the proceeding, and shall include such evidence and arguments as will provide the basis for a Board decision on the petition. The Board, in its discretion, may decide the matter on the petition, or it may serve upon the petitioner a notice for a public hearing thereon. Said notice shall indicate the time and place of hearing, and it may specify any issues on which the Board desires to receive further evidence or hear arguments.

Sec. 21 Clerical mistakes.

The Board may at any time, without advance notice to the petitioner and without hearing, make such changes in a Board decision as are required to correct clerical or other errors arising from oversight or omission which have no adverse effect on petitioner.

Sec. 22 Duty to inform the Board.

The petitioner shall promptly notify the Board of any change in circumstances subsequent to the filing of the petition which would affect petitioner's merit to receive or retain a Board allocation.

Sec. 23 Record open to the public.

The petition, transcript of hearing, exhibits, written statements filed by interested parties, all papers filed with the Board, and matters of official notice or record, shall constitute the record for decision and shall be open to the public, subject to the provisions of section 17.

[FR Doc. 73-19822 Filed 9-17-73; 8:45 am]

Title 7—Agriculture

CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

[Grapefruit Reg. 14; Grapefruit Reg. 13 Terminated]

PART 944—FRUITS; IMPORT REGULATIONS

Minimum Grade and Size Requirements for Imports of Grapefruit

This regulation prescribes minimum grade and size requirements for imports of grapefruit, effective during the period September 21 through October 14, 1973, to coincide with such requirements being made effective on Florida grapefruit during the period September 17 through October 14, 1973. Such action is required by section 8e of the Agricultural Marketing Agreement Act of 1937, as amended.

Section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674) provides, in part, that whenever a marketing order issued by the Secretary of Agriculture pursuant to section 8c of the aforesaid act contains any terms or conditions regulating the grade, size, quality, or maturity of grapefruit produced in the United States, the importation of grapefruit into the United States during the period of time such order is in effect shall be prohibited unless the fruit complies with the grade, size, quality, and maturity provisions of such order, or comparable restrictions, promulgated under said section 8e. This import regulation prescribes a grade and size regulation which is the same as the domestic grade and size regulation for grapefruit, pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905) regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective time of this regulation beyond that herein specified (5 U.S.C. 553) in that (a) the requirements of this import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of

1937, as amended (7 U.S.C. 601-674), which makes such regulation mandatory; (b) the grade and size requirements of this import regulation are the same as those being made applicable to domestic shipments of grapefruit under Grapefruit Regulation 74 (§ 905.551); (c) compliance with this import regulation will not require any special preparation which cannot be completed by the effective time; (d) notice hereof in excess of three days, the minimum that is prescribed by said section 8e, is given with respect to this import regulation; and (e) such notice is hereby determined, under the circumstances, to be reasonable.

§ 944.110 Grapefruit Regulation 14.

(a) During the period September 21, 1973, through October 14, 1973, the importation into the United States of any grapefruit is prohibited unless such grapefruit is inspected and meets the following requirements:

(1) Seeded grapefruit shall grade at least U.S. No. 1 and be of a size not smaller than $3\frac{1}{16}$ inches in diameter, except that a tolerance for seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in § 51.761 of the United States Standards for Florida Grapefruit; and

(2) Seedless grapefruit shall grade at least Improved No. 2 and be of a size not smaller than $3\frac{3}{16}$ inches in diameter, except that a tolerance for seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in § 51.761 of the United States Standards for Florida Grapefruit. "Improved No. 2" shall mean grapefruit grading at least U.S. No. 2 and also meeting the requirements of the U.S. No. 1 grade as to shape (form) and color.

(b) The Federal or Federal-State Inspection Service, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, is hereby designated as the governmental inspection service for the purpose of certifying the grade, size, quality, and maturity of grapefruit that are imported into the United States. Inspection by the Federal or Federal-State Inspection Service with appropriate evidence thereof in the form of an official inspection certificate, issued by the respective service, applicable to the particular shipment of grapefruit, is required on all imports of grapefruit. Such inspection and certification services will be available upon application in accordance with the rules and regulations governing inspection and certification of fresh fruits, vegetables, and other products (7 CFR Part 51) but, since inspectors are not located in the immediate vicinity of some of the small ports of entry, such as those in southern California, importers of grapefruit should make arrangements for inspection, through the applicable one of the following offices, at least the specified number of days prior to the time when the grapefruit will be imported:

Ports	Office	Advance notice
All Texas points...	L. M. Denbo, 566 South Nebraska Street, San Juan, Tex. 78589, phone 512-757-4061, or Charles E. Farragon, room 516, U.S. Court House, El Paso, Tex. 79901, phone 915-543-7723.	1 day.
All New York points.	Frank J. McNeal, room 28A, Hunts Point Market, Bronx, N.Y. 10474, phone 212-491-7668 and 7669, or Charles D. Renick, 176 Niagara Frontier Food Terminal, room 8, Buffalo, N.Y. 14206, phone 716-821-1585.	Do.
All Arizona points.	B. O. Morgan, 225 Terrace Ave., Nogales, Ariz. 85621, phone 602-287-2902.	Do.
All Florida points.	Lloyd W. Boney, 1350 Northwest 12th Ave., room 538, Miami, Fla. 33136, phone 305-371-2517, or Hubert S. Flynt, 775 Warner Lane, Orlando, Fla. 32814, phone 305-894-9511, or Johnnie E. Corbitt, Unit 46, 3335 North Edgewood Ave., Jacksonville, Fla. 32206, phone 904-354-5583.	Do.
All California points.	Daniel P. Thompson, 784 South Central Ave., 266 Wholesale Terminal Bldg., Los Angeles, Calif. 90021, phone 213-622-8756.	3 days.
All Louisiana points.	Pascal J. Lamarcia, 5027 Federal Office Bldg., 701 Loyola Ave., New Orleans, La. 70113, phone 504-527-6741 and 6742.	1 day.
All other points...	D. S. Matheson, Fruit and Vegetable Division, AMS—U.S. Department of Agriculture, Washington, D.C. 20250, phone 202-447-5870.	3 days.

(c) Inspection certificates shall cover only the quantity of grapefruit that is being imported at a particular port of entry by a particular importer.

(d) The inspection performed, and certificates issued, by the Federal or Federal-State Inspection Service shall be in accordance with the rules and regulations of the Department governing the inspection and certification of fresh fruits, vegetables, and other products (7 CFR Part 51). The cost of any inspection and certification shall be borne by the applicant therefor.

(e) Each inspection certificate issued with respect to any grapefruit to be imported into the United States shall set forth, among other things:

- (1) The date and place of inspection;
- (2) The name of the shipper, or applicant;
- (3) The commodity inspected;
- (4) The quantity of the commodity covered by the certificate;
- (5) The principal identifying marks on the container;
- (6) The railroad car initials and number, the truck and the trailer license number, the name of the vessel, or other identification of the shipment; and
- (7) The following statement if the facts warrant: Meets U.S. import requirements under section 8e of the Agricultural Marketing Agreement Act of 1937, as amended.

(f) Notwithstanding any other provision of this regulation, any importation of grapefruit which, in the aggregate does not exceed five standard nailed boxes, or equivalent quantity, may be imported without regard to the restrictions specified herein.

(g) It is hereby determined that imports of grapefruit, during the effective time of this regulation, are in most direct competition with grapefruit grown in the State of Florida. The requirement set forth in this section are the same as those being made effective for grapefruit grown in Florida.

(h) No provisions of this section shall supersede the restrictions or prohibitions on grapefruit under the Plant Quarantine Act of 1912.

(i) Nothing contained in this regulation shall be deemed to preclude any importer from reconditioning prior to importation any shipment of grapefruit for the purpose of making it eligible for importation.

(j) The terms used herein relating to grade, diameter, and standard box shall have the same meaning as when used in the United States Standards for Florida Grapefruit (7 CFR 51.750-51.784), except that the 3-14/16 inch minimum diameter requirement specified in paragraph (a)(1) of this regulation shall correspond to 40 size and count grapefruit set forth in Sec. (1)(b)(3) of Regulation 105-1.03, as amended, effective September 1, 1973, of the Regulations of the Florida Citrus Commission. Importation means release from custody of the United States Bureau of Customs.

(k) Grapefruit Regulation 13 (§ 944.109; 37 FR 21802; 38 FR 10152, 13650, 18028) is hereby terminated at the effective time hereof.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.)

Dated September 13, 1973.

CHARLES R. BRADER,
Acting Deputy Director, Fruit
and Vegetable Division, Agri-
cultural Marketing Service.

[FR Doc.73-19878 Filed 9-14-73; 11:58 am]

Title 12—Banks and Banking

CHAPTER II—FEDERAL RESERVE SYSTEM SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Req. Q]

PART 217—INTEREST ON DEPOSITS

Protection of Depositors

On July 26, 1973, the Board of Governors invited public comments to be submitted by August 27, 1973, on a proposed amendment to its Regulation Q to provide that (1) any advertisement, announcement, or solicitation relating to interest paid on time deposits by member banks include clear and conspicuous notice that Federal law and regulation prohibit the bank from paying a time deposit before maturity unless certain interest is forfeited, and (2) the bank customer shall be given, at the time that a time deposit is made, a disclosure state-

ment which makes it clear that the customer has contracted to leave his funds on deposit for the stated maturity and which describes how the early withdrawal penalty applies to time deposits in the bank, in the event the bank, notwithstanding the contract provisions, permits payment before maturity. (38 FR 20470). This amendment to Regulation Q was proposed to be made pursuant to the Board's authority under section 19 of the Federal Reserve Act to prescribe rules governing the payment and advertisement of interest on deposits in member banks.

After consideration of all comments received, the Board has decided to adopt the proposal in substantially the same form as proposed on July 26, 1973.

Effective September 18, 1973, Regulation Q (12 CFR Parts 217) is amended in the following respects:

1. § 217.4 is amended by redesignating paragraph (e) as paragraph (f) and by adding a new paragraph (e) to read as follows:

§ 217.4 Payment of time deposits before maturity.

(e) *Disclosure of early withdrawal penalty.* At the time a depositor enters into a time deposit contract with a member bank, the bank shall provide a written statement of the effect of the penalty prescribed in paragraph (d) of this section, which shall (1) state clearly that the customer has contracted to keep his funds on deposit for the stated maturity, and (2) describe fully and clearly how such penalty provisions apply to time deposits in such bank, in the event the bank, notwithstanding the contract provisions, permits payment before maturity. Such statements shall be expressly called to the attention of the customer.

2. § 217.6 is amended by redesignating paragraphs (e), (f), and (g) as (f), (g), and (h) and by adding a new paragraph (e) to read as follows:

§ 217.6 Advertising of interest on deposits.

(e) *Penalty for early withdrawals.* Any advertisement, announcement, or solicitation relating to interest paid by a member bank on time deposits shall include clear and conspicuous notice that Federal law and regulation prohibit the bank from allowing payment of a time deposit before maturity unless substantial interest is forfeited. Such notice may state that:

Federal law and regulation prohibit the payment of a time deposit prior to maturity unless three months of the interest thereon is forfeited and interest on the amount withdrawn is reduced to the passbook rate.

With respect to any advertisement, announcement, or solicitation made by television or radio, the required notice of penalty may be stated in a form such as "Substantial interest penalty is required for early withdrawal."

The effective date was deferred for less than the 30-day period referred to in Title 5, United States Code, section 553 (d), because the Board found that the public interest compelled it to make the action effective no later than the date adopted. See § 262.2(e) of the Board's rules of procedure (12 CFR 262.2(e)).

By order of the Board of Governors,
September 12, 1973.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc.73-19758 Filed 9-17-73; 8:45 am]

CHAPTER V—FEDERAL HOME LOAN BANK BOARD

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION INSURED INSTITUTIONS

Service Corporation Subsidiaries

The Federal Home Loan Bank Board, in Resolution No. 72-1376, dated November 22, 1972, proposed to amend Parts 561, 563, and 570 of the Rules and Regulations for Insurance of Accounts (12 CFR Parts 561, 563, and 570) to impose certain limitations and requirements on service corporation subsidiaries of insured institutions. Notice of such proposed rule making was duly published in the FEDERAL REGISTER of December 16, 1972 (37 FR 26837), with an invitation for interested persons to submit written comments by January 19, 1973. On the basis of its consideration of all relevant material presented by interested persons and otherwise available, the Board hereby adopts amendments to said Parts 561, 563 and 570 and to Part 566 (12 CFR 566) to read as set forth below, effective October 19, 1973.

The regulations are adopted as proposed subject to the following revisions:

A new § 561.27 defining "controlling person" as used in §§ 563.18-1 and 563.34 has been added.

Section 563.17-1 is amended (1) to permit filing of consolidated audit reports in lieu of separate reports and (2) to provide that a copy of an appraisal report made by the Corporation shall be furnished to the insured institution, affiliate, or service corporation, as appropriate, rather than to the insured institution in all cases.

Section 563.18(b) is amended to require report of a loss whether or not it is repaid or recovered. This merely clarifies the meaning of the regulation as proposed.

Section 563.18-1 is amended to clarify the scope of the reporting and penalty provisions based on section 407(1)(5) of the National Housing Act.

Section 563.23-3 relating to accounting principles and procedures has been reworded to clarify its present meaning. This amendment results in no substantive change from the amendment as proposed.

Section 563.34(a) is amended by deleting the definition of "controlling person" in the last sentence thereof.

A new § 566.8 regarding the relationship of the Board's enforcement authority to these regulations has been added.

PART 561—DEFINITIONS

1. Part 561 is amended by adding new §§ 561.24, 561.25, 561.26 and 561.27 thereto to read as follows:

§ 561.24 Affiliate.

An "affiliate" of an insured institution, unless otherwise defined, includes any corporation, business trust, association or other similar organization—

(a) of which an insured institution, directly or indirectly, owns or controls either a majority of the voting shares or more than 50 per centum of the number of shares voted for the election of its directors, trustees, or other persons exercising similar functions at the preceding election, or controls in any manner the election of a majority of its directors, trustees, or other persons exercising similar functions; or

(b) of which control is held, directly or indirectly through stock ownership or in any other manner, by the shareholders of an insured institution who own or control either a majority of the shares of such insured institution or more than 50 per centum of the number of shares voted for the election of directors of such insured institution at the preceding election, or by trustees for the benefit of the shareholders of any such insured institution; or

(c) of which a majority of its directors, trustees, or other persons exercising similar functions are directors of any one insured institution.

§ 561.25 Service corporation.

A "service corporation" is any corporation, the majority of the capital stock of which is owned by one or more insured institutions and which engages, directly or indirectly, in any activities similar to activities which may be engaged in by a service corporation in which a Federal savings and loan association may invest under § 545.9-1 of this chapter.

§ 561.26 Service corporation affiliate.

A "service corporation affiliate" of an insured institution is any service corporation which is an affiliate of an insured institution.

§ 561.27 Controlling person.

A "controlling person" of an insured institution is any person or entity owning or holding ten percent or more of the stock or voting rights of the insured institution or otherwise having the power, directly or indirectly, to direct or cause the direction of the management or policies of the insured institution.

PART 563—OPERATIONS

2. Part 563 is amended by revising paragraphs (b) and (c) of § 563.9-3, § 563.17, paragraphs (a), (b), and (c) of § 563.17-1, paragraphs (b), (c), and (d) of § 563.17-2, § 563.18, paragraphs

(f) and (h) of § 563.18-1, § 563.23-3, paragraph (a) of § 563.34, and by adding new paragraph (d) to § 563.19 and new §§ 563.37 and 563.38 to read as follows:

§ 563.9-3 Loans to one borrower.

(b) *Limitations.* No insured institution shall have outstanding any loan on the security of real estate to one borrower, as defined in paragraph (a) of this section, if the sum of (1) the amount of such loan and (2) the total balances of all outstanding loans on the security of real estate owed to such institution and its service corporation affiliates by such borrower exceeds an amount equal to 10 percent of such institution's withdrawable accounts or an amount equal to such institution's net worth, whichever amount is less: *Provided*, That, notwithstanding any other limitation of this sentence, any such loan may be made if the sum of subparagraphs (1) and (2) of this paragraph does not exceed \$100,000 or if such loan is secured by a first lien on low-rent housing.

(c) *Determination by institution; maintenance of records.* If an insured institution or service corporation affiliate thereof makes a loan to any one borrower, as defined in paragraph (a) of this section, in an amount which, when added to the total balances of all outstanding loans on the security of real estate owed to such institution and its service corporation affiliates by such borrower, exceeds \$100,000, the records of such institution or its service corporation affiliate with respect to such loan shall include documentation showing that such loan was made within the limitations of paragraph (b) of this section; for the purpose of such documentation such institution or service corporation affiliate may require, and may accept in good faith, a certification by the borrower identifying the persons, entities, and interests described in the definition of one borrower in paragraph (a) of this section.

§ 563.17 Management and financial policies.

(a) For the protection of its insured members and other insured institutions, each insured institution and service corporation thereof shall maintain safe and sound management and shall pursue financial policies that are safe and consistent with economical home financing and the purposes of insurance of accounts and are appropriate to their respective types of operations; in implementing this regulation the Corporation will take into consideration that service corporations may be authorized to engage in activities which involve a higher degree of risk than do activities permitted to insured institutions.

(b) Compensation to officers, directors, and employees of each insured institution and its service corporations shall not be in excess of that which is reasonable and commensurate with their duties and responsibilities.

§ 563.17-1 Examinations and audits; appraisals; establishment and maintenance of records.

(a) *Examinations and audits.* (1) Each insured institution and affiliate thereof shall be examined periodically, and may be examined at any time, by the Corporation, with appraisals when deemed advisable, in accordance with general policies from time to time established by the Board. The cost, as computed by the Corporation, of any examination made by it, including office analysis thereof, overhead, per diem, travel expense, and other supervision by the Board, shall be paid by the institution examined, except that in the case of a service corporation of a Federal savings and loan association such cost shall be paid by such service corporation.

(2) Each insured institution and service corporation thereof shall be audited at least once in each calendar year by auditors and in a manner satisfactory to the Corporation in accordance with general policies from time to time established by the Board. The Corporation may at any time make, or cause to be made, an audit of an insured institution or service corporation thereof, with appraisals when deemed advisable. An insured institution and each of its service corporations shall promptly file with the Corporation, through the Board's Chief Examiner of the Federal Home Loan Bank District in which the home office of the institution is located, a copy of the consolidated or separate report of each audit, other than audits made by the Corporation, made pursuant to this paragraph (a) (2). If a consolidated report is filed, such report shall include, either by footnote or in a schedule or schedules, the balance sheet and statement of income for the association and each of its service corporations included in said consolidated report. If separate reports of audit are issued, a copy of each such report shall be filed as provided herein. The cost of any audit made pursuant to this paragraph (a) (2) shall be paid by the insured institution or service corporation audited.

(b) *Appraisals.* (1) Unless otherwise ordered by the Board, appraisal of real estate by the Corporation in connection with any examination or audit of an insured institution, affiliate, or service corporation shall be made by an appraiser, or by appraisers, selected by the Board's Chief Examiner of the Federal Home Loan Bank District in which such institution is located. The cost of such appraisal shall promptly be paid by such insured institution, affiliate, or service corporation direct to such appraiser or appraisers upon receipt by the institution, affiliate, or service corporation of a statement of such cost as approved by such Chief Examiner. A copy of the report of each appraisal made by the Corporation pursuant to any of the foregoing provisions of this section shall be furnished to the institution, affiliate, or service corporation, as appropriate within a reasonable time, not to exceed

90 days, following the completion of such appraisals and the filing of a report thereof by the appraiser, or appraisers, with such Chief Examiner.

(2) The Corporation may obtain at any time, at its expense, such appraisals of any of the assets, including the security thereof, of an insured institution, affiliate, or service corporation as the Corporation deems appropriate.

(c) *Establishment and maintenance of records.* To enable the Corporation to examine insured institutions and affiliates, and audit insured institutions, affiliates, and service corporations, pursuant to the provisions of paragraph (a) of this section, each insured institution, affiliate and service corporation thereof shall establish and maintain such accounting and other records as will provide an accurate and complete record of all business transacted by it, and the documents, files and other material or property comprising said records shall at all times be available for such examination and audit, wherever any of said records, documents, files, material or property may be. Without any limitation on the generality of the foregoing sentence and without modification of any other requirement with respect to the establishment and maintenance of records to which such institution is subject, each insured institution shall establish and maintain the following records:

(6) *Other records.* Each insured institution and service corporation thereof shall establish and maintain such other records as are required by statute or by any other regulation to which such institution or service corporation is subject.

§ 563.17-2 Re-evaluation of assets; adjustment of book value; adjustment charges.

(b) *By examiners.* In connection with each examination of an insured institution or service corporation, the Board's examiner shall make such re-evaluation of such institution's or service corporation's assets (exclusive of insured or guaranteed loans) as he deems advisable or necessary. Any such re-evaluation of real estate shall be based on an appraisal as provided by § 563.17-1, except that re-evaluation of parcels of real estate that are similar in all essential respects may be based on an appraisal of one or more of such parcels.

(c) *Adjustment of book value.* If the re-evaluation of assets, pursuant to paragraph (b) of this section, or otherwise as ordered by the Corporation, discloses that any asset of an insured institution or service corporation is over-valued on its books (exclusive of over-valuation due to fluctuations in value which are caused by changes in market interest rates), such institution or service corporation shall, at the direction of the Supervisory Agent, make an adjustment of the book value of such asset; unless otherwise directed by the Supervisory Agent, such institution shall make such adjustment by establishing and maintaining a specific reserve in an amount equal to the over-valuation.

(d) *Adjustment charges.* Adjustment of the book value of an asset by an insured institution or service corporation pursuant to any provision of this section may be made by charge against such institution's or service corporation's earnings for the period in which such charge is made, or against surplus, undivided profits, or reserves established for the sole purpose of absorbing losses. Any recovery of any portion of any amount previously charged against reserves established for the sole purpose of absorbing losses shall be credited to such reserves; such credit shall be in addition to all other required credits to such reserves. Any recovery of any portion of any amount previously charged against earnings shall be credited to earnings for the period in which such recovery is effected. For the purposes of this paragraph (d), any charge against a specific reserve established pursuant to any provision of this section shall be deemed to be a recovery on an asset the book value of which was previously adjusted unless such charge is made for the purpose of concurrently writing down the book value of such asset.

§ 563.18 Reports to the Corporation.

(a) *Periodic reports.* Each insured institution and service corporation thereof shall make such periodic or other reports of its affairs in such manner and on such forms as the Corporation may prescribe. The Corporation may provide that reports filed by the insured institutions or service corporations to meet the requirements of other regulations also satisfy requirements imposed under this section.

(b) *Reports of loss.* Whenever an insured institution or service corporation thereof suffers a loss due to dishonesty of a director, officer, attorney, agent, or employee, whether or not repaid or recovered, or whenever a deductible amount specified in a bond is increased above the permissible deductible amount specified in the table in paragraph (b) of § 563.19, such insured institution or service corporation shall report promptly the facts concerning such loss or increase in writing to the Board's Chief Examiner for the Federal Home Loan Bank district in which the home office of such institution is located.

§ 563.18-1 Reports of change in control; other reports; form and filing of such reports.

(f) *Other reports.* The Corporation may also require insured institutions and individuals or other persons who have or have had any connection with the management of any insured institution, including any present or former director, officer, controlling person, or agent of an insured institution, to provide, or cause to be provided, such periodic or other reports or disclosures as the Corporation may determine to be necessary or appropriate for the protection of investors or the Corporation.

(h) *Penalty for failure to report.* For the willful failure of any institution, in-

dividual, or other person who has or has had any connection with the management of any insured institution to submit, within the time prescribed by the Corporation, any report or disclosure required by the Corporation, such insured institution, individual, or other person shall be subject to a civil penalty of not more than \$500 (which penalty shall be cumulative to any other remedies) for each day that such failure continues, which penalty the Corporation may recover by suit or otherwise for its own use. The Corporation in its discretion may, at any time before collection of such penalty (whether before or after the bringing of any action or other legal proceedings, the obtaining of any judgment or other recovery, or the issuance or levy of any execution or other legal process therefor), compromise or remit in whole or in part any such penalty.

§ 563.19 Bonds for directors, officers, employees, and agents; form of and amount of bonds.

(d) A service corporation of an insured institution shall maintain such bond coverages as may be appropriate considering the nature of its activities and the practice of other corporations engaged in similar activities.

§ 563.23-3 Accounting principles and procedures.

For purposes of examination by and reports to the Corporation and of compliance with this subchapter, each insured institution and service corporation shall:

(a) Employ such specific principles or procedures on particular accounting or reporting matters as the Corporation may require by regulation or otherwise; and

(b) Prepare and maintain such books and records as will support its financial statements and reports to the Corporation and readily permit reconciliation of such statements and reports with its books and records; and

(c) Prepare its other financial statements and reports to the Corporation on the basis of generally accepted accounting principles.

§ 563.34 Selection of depository.

(a) Except with the prior written approval of the Corporation, as provided in paragraph (b) of this section, and except as is otherwise provided in this subparagraph, no insured institution may (1) establish a depository relationship on or after July 1, 1972, with a depository with which it has an interlock; or (2) maintain an existing depository relationship if an interlock with such depository occurs on or after July 1, 1972. Any depository arrangement involving an interlock existing prior to July 1, 1972, may be continued on and after such date unless such arrangement has been specifically disapproved by the Corporation. The provisions of this section shall not apply to a depository relationship between an

insured institution and a Federal Home Loan Bank. For the purposes of this section and "interlock" will be deemed to exist between an insured institution and a depository whenever any officer, director, or controlling person of the insured institution, or attorney regularly serving the institution in the capacity of attorney at law, or the spouse of any of the foregoing, is an officer, partner, director, or trustee of the depository or the owner of ten percent or more of the depository's stock:

§ 563.37 Operation of service corporations; limited liability of insured institution for debt of service corporation.

(a) *General.* Each insured institution and service corporation thereof shall be operated in a manner which demonstrates to the public the separate corporate existence of the service corporation and the insured institution. Regulations of the Corporation which apply both to insured institutions and service corporations shall not be construed as requiring operation of an insured institution and its service corporations as a single entity.

(b) *Service corporation debt.* Every instrument evidencing borrowing by a service corporation shall indicate that its parent insured institution is not liable, or in the case of a service corporation owned by more than one insured institution, that none of its parent insured institutions is liable, except that no such statement is required if the loan is guaranteed by a parent insured institution and the total amount of such guaranteed loan, together with all other guaranteed loans, direct loans, and direct investment by the insured institution in its service corporations, does not exceed the maximum investment permitted by law or regulation.

§ 563.38 Salvage power of insured institution to assist service corporation.

(a) *Salvage power and investment authority.* No insured institution, in the exercise of its salvage power or otherwise, shall, without the prior approval of the Corporation, make any contribution, loan, or guarantee of a loan made by any other person to its service corporation, or invest in its service corporation or assume any of its liabilities, if such contribution, loan, investment, guarantee, or assumption of liability, together with all such guaranteed loans, direct loans, contributions and direct investments by the insured institution in its service corporations, would exceed the maximum investment permitted by law or regulation.

(b) *Applications for approval.* Each application by an insured institution to the Corporation for its approval to make any such contribution, loan, investment, guarantee, or assumption of liability shall establish, to the satisfaction of the Corporation, in a written statement, that the action it proposes is for the protection of the insured institution's investment

and is consistent with safe, sound, and economical home financing. The application shall describe and discuss alternative solutions to the service corporation's financial problem including solutions which do not involve increased investment by the insured institution, and contain such other information as the Corporation may require. In the case of a State-chartered insured institution, such application shall be accompanied by an opinion of counsel that the proposed action is within the authority of the insured institution. Every contribution, loan, investment, guarantee, or assumption of liability made pursuant to approval by the Corporation under this section shall comply with the terms and conditions of such approval.

PART 566—CEASE-AND-DESIST AND SUSPENSION AND REMOVAL ORDERS

3. Part 566 is amended by adding a new § 566.8 thereto to read as follows:

§ 566.8 Application of the supervisory act with respect to service corporations.

(a) Each insured institution, or director, officer, employee, or agent thereof, shall take whatever action may be necessary and within its or his power to assure that any service corporation of such insured institution does not—

(1) violate any law, rule, or regulation applicable to such service corporation;

(2) violate any charter provision or bylaw of such service corporation;

(3) violate any condition applicable to such service corporation and imposed in writing by the Board or Corporation or State supervisory authority in connection with the granting of any application or other request by such institution or service corporation;

(4) violate any written agreement applicable in whole or in part to such service corporation and entered into by such insured institution or service corporation with the Board or the Corporation or State supervisory authority;

(5) violate any cease-and-desist order which has become final and is applicable in whole or in part to such service corporation; or

(6) engage in any practice which is unsafe or unsound with respect to such service corporation or the insured institution.

(b) A violation of paragraph (a) of this section is a violation of a regulation within the meaning of section 5(d) of the Home Owners' Loan Act of 1933, as amended, and section 407 of the National Housing Act, as amended, and may constitute an unsafe or unsound practice, a breach of fiduciary duty, or conduct or practice with respect to another savings and loan association or other business institutions within the meaning of said sections of said Acts.

PART 570—BOARD RULINGS

4. Part 570 is amended by adding a new § 570.10 thereto to read as follows:

§ 570.10 Separate corporate existence of a service corporation.

(a) *General.* If an insured institution and its service corporation fail to maintain their separate corporate existence, a court, for equitable reasons in an extreme situation, might hold the institution liable for the obligations of its service corporation. To insure judicial recognition of the separate corporate existence of service corporations, the institution and its service corporations should operate so that (1) their respective business transactions, accounts, and records are not intermingled, (2) each observes the formalities of their separate corporate procedures, (3) each is adequately financed as a separate unit in the light of normal obligations reasonably foreseeable in a business of its size and character, (4) each is held out to the public as a separate enterprise, and (5) the insured institution does not dominate the service corporation to the extent that the latter is treated as a mere department of the former. In recommending such operating practices, the Board is not suggesting that a failure to follow one or more of all of such practices by an insured institution and its service corporation should cause a court to ignore the separate corporate existence of the service corporation.

(b) *Operation of service corporations.* Section 563.36(a) of this subchapter requires that an insured institution and its service corporations be operated in a manner which demonstrates their separate corporate existence. Failure to assure corporate separateness could result in serious risk to the insured institution and to the Corporation. In monitoring compliance with § 563.36(a) of this subchapter, the Corporation will look for attributes of corporate separateness such as those contained in paragraph (a) of this section.

(Secs. 402, 403, 407, 48 Stat. 1256, 1257, 1260, as amended (12 U.S.C. 1725, 1726, 1730); Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943-48 Comp., p. 1071.)

By the Federal Home Loan Bank Board.

[SEAL]

EUGENE M. HERRIN,
Assistant Secretary.

[FR Doc. 73-19802 Filed 9-17-73; 8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 73-GL-27]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On Page 18383 of the FEDERAL REGISTER dated July 10, 1973, the Federal Aviation Administration published a notice of proposed rulemaking which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Hartford, Wisconsin.

Interested persons were given 30 days to submit written comments, suggestions or objections regarding the proposed amendment.

No objections have been received and the proposed amendment is hereby adopted without change and is set forth below.

This amendment shall be effective November 8, 1973.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)).)

Issued in Des Plaines, Illinois, on August 27, 1973.

R. O. ZIEGLER,
Acting Director,
Great Lakes Region.

In § 71.181 (38 FR 435), the following transition area is added:

HARTFORD, WISC.

That airspace extending upward from 700 feet above the surface within a 6.5 mile radius of the Hartford Airport (latitude 43°20'55"N., longitude 88°23'30"W.).

[FR Doc.73-19741 Filed 9-17-73;8:45 am]

CHAPTER II—CIVIL AERONAUTICS BOARD

[Reg. OR-78, Amdt. 15]

PART 389—FEES AND CHARGES FOR SPECIAL SERVICES

Refund of Fee Following Dismissal of Application After Denial of Motion for Expedited Hearing or for Order To Show Cause; Correction

In FR Doc. 73-19258 appearing on page 24895 in the issue of Tuesday, Sep-

tember 11, 1973, amendment No. "38" was improperly assigned to this regulation. The correct identification is amendment No. "15".

Effective September 5, 1973.

Adopted September 5, 1973.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

SEPTEMBER 11, 1973.

[FR Doc.73-19811 Filed 9-17-73;8:45 am]

Title 24—Housing and Urban Development

SUBTITLE A—OFFICE OF THE SECRETARY, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. R-73-227]

PART 42—RELOCATION PAYMENTS AND ASSISTANCE AND REAL PROPERTY ACQUISITION UNDER THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970

Grievance Procedures Relating to Adequacy of Replacement Housing; Claims Review

The purpose of the following amendment is to make a minor, clarifying correction to § 42.330(c).

Since the change is minor in nature and no substantive change in the regulation is effected, notice and public procedure thereon are unnecessary.

In consideration of the foregoing, Part 42 is amended, effective upon publication in the FEDERAL REGISTER, as hereinafter set forth:

Section 42.330(c) is revised to read as follows:

§ 42.330 HUD review.

(c) *Determination on review by HUD.* The written determination by HUD shall be delivered to the State agency and to the complainant and shall include, but need not be limited to:

(1) The Area Director's decision on reconsideration of the complaint;

(2) The factual and legal findings upon which the decision is based, including any pertinent explanation or rationale for the decision;

(3) The relief, if any, to which the complainant is entitled, and directions to the State agency on how this shall be achieved;

(4) Notification to the complainant of his right to seek further HUD assistance if the relief specified in paragraph (c) (3) of this section is not provided;

(5) Notification to the complainant of his right to seek judicial review in the event the determination is adverse.

(Sec. 7(d), Department of Housing and Urban Development Act, 42 U.S.C. 3535(d); sec. 213, Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4633).)

Effective date.—These regulations are effective on September 18, 1973.

JAMES T. LYNN,
Secretary of Housing
and Urban Development.

[FR Doc.73-19795 Filed 9-17-73;8:45 am]

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-208]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the last column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
California	Alameda	Piedmont, city of				September 13, 1973, Emergency. Do.
Idaho	Latah	Unincorporated areas.				Do.
Michigan	Gogebie	Ironwood, city of				Do.
Missouri	St. Louis	Times Beach, city of				Do.
New Mexico	Quay	Tucumcari, city of				Do.
North Carolina	Pamlico	Incorporated towns of Oriental and Vandermere.				Do.
North Dakota	Morton	Unincorporated areas.				Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969.)

Issued September 7, 1973.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.73-19682 Filed 9-17-73;8:45 am]

[Docket No. FI-209]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the last column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of sale of flood insurance for area
Connecticut	New London	Groton, city of				September 18, 1973, Emergency.
Illinois	Cook	Hickory Hills, city of				Do.
Ohio	Ashland	Ashland, city of				Do.
Do.	Summit	Twinsburg, city of				Do.
Virginia		Lynchburg, city of				Do.
West Virginia	Harrison	Clarksburg, city of				Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969.)

Issued September 10, 1973.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc. 73-19683 Filed 9-17-73; 8:45 am]

[Docket No. FI-210]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the last column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
Kentucky	Lee	Heattyville, city of				September 17, 1973, Emergency.
Michigan	Van Buren	Covert, township of				Do.
Do.	Leelanau	Suttons Bay, village of				Do.
Missouri	Madison	Fredericktown, city of				Do.
New Jersey	Somerset	Watchung, borough of				Do.
New York	Nassau	Sea Cliff, village of				Do.
Pennsylvania	Allegheny	Hampton, township of				Do.
Texas	Brazoria	Angleton, city of				Do.
Wisconsin	Oconto	Oconto, city of				Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969.)

Issued September 10, 1973.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc. 73-19684 Filed 9-17-73; 8:45 am]

Title 33—Navigation and Navigable Waters

CHAPTER I—COAST GUARD,
DEPARTMENT OF TRANSPORTATION

[CGD 73-210 R]

PART 117—DRAWBRIDGE OPERATION
REGULATIONS

Miner Slough, Calif.

This amendment revokes the regulations for the pontoon bridge across Miner Slough between Ryer Island and Prospect Island because this bridge has been removed. Also revoked is the requirement that when Prospect Slough is impassable continuous attendance of the draw is required. This change is due to the completion of the Sacramento Ship channel which eliminates Prospect Slough as a main channel.

Accordingly, Part 117 of Title 33 of the Code of Federal Regulations is amended by revising paragraph (c) of § 117.716 to read as follows:

§ 117.716 Sacramento River and its tributaries, Cal.

(c) Miner Slough—(1) State of California highway bridge between northern end of Ryer Island and Holland Tract. At least 12 hours notice is required.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g) (2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655 (g) (2); 49 CFR 1.46(c) (5), 33 CFR 1.05-1(c) (4).)

Effective date.—This revision shall become effective September 18, 1973.

Dated September 10, 1973.

W. M. BENKERT,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Marine Environment and Systems.

[FR Doc.73-19755 Filed 9-17-73; 8:45 am]

Title 50—Wildlife and Fisheries

CHAPTER I—BUREAU OF SPORT FISHERIES AND WILDLIFE, FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

PART 32—HUNTING

Iroquois National Wildlife Refuge, N.Y.

The following special regulation is issued and is effective during the period October 1, 1973 through November 3, 1973.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

NEW YORK

IROQUOIS NATIONAL WILDLIFE REFUGE

The public hunting of migratory waterfowl on the Iroquois National Wildlife Refuge, New York, is permitted. Information on this program is available at the refuge headquarters, Basom, New York, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, John W. McCormack Post Office and Courthouse, Boston, Massachusetts 02109. Hunting shall be in accordance with all applicable State and Federal

regulations covering the hunting of migratory waterfowl subject to the following special conditions:

(1) Waterfowl hunting is by permit only.

(2) Hunting is permitted on Monday, Tuesday, Thursday, and Saturday.

(3) Prior registration required for opening day, holidays, and the three succeeding Saturdays. Other days permits issued on first-come-first-served basis. All hunters will draw for hunting sites on date of hunt.

(4) Waterfowl hunting permitted from legal opening until noon, local time.

(5) Hunters must check out and present harvested game at the permit station on Casey Road, not later than 1:00 p.m. local time.

(6) Hunters assigned a stand must hunt within a 50-foot radius of the station marker with no more than two hunters to each stand.

(7) The maximum daily bag limit of waterfowl or marsh birds (ducks, geese, coots, and gallinules), or any combination thereof is 3.

(8) No shotguns larger than 12 gauge are allowed.

(9) On Tuesdays and Thursdays migratory waterfowl will be hunted with 12 gauge shotguns using iron shot provided by the refuge at a cost of \$.16 per round.

(10) Only 15 rounds are permitted per hunter.

(11) Shot size is restricted to size 2 fine shot or smaller.

(12) Disorderly conduct, intoxication, high shooting or otherwise unsportsmanlike conduct will not be tolerated and the permittee will be ejected from the area.

(13) Hunters must be equipped with hip boots or waders.

(14) Guns will be loaded (chambers and magazines) only when a permittee is hunting waterfowl at an assigned stand or within an assigned shooting area. A permittee must unload his gun and not re-load his gun after taking his daily bag.

(15) No person shall use or hunt from a boat.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 3, 1973.

RICHARD E. GRIFFITH,
Regional Director, Bureau of
Sport Fisheries and Wildlife.

SEPTEMBER 7, 1973.

[FR Doc.73-19745 Filed 9-17-73; 8:45 am]

PART 32—HUNTING

DeSoto National Wildlife Refuge, Iowa

The following special regulation is issued and is effective September 18, 1973.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

IOWA

DE SOTO NATIONAL WILDLIFE REFUGE

Public hunting of deer on the DeSoto National Wildlife Refuge, Iowa, is per-

mitted only on the area designated by signs as open to hunting. This open area comprising 660 acres is delineated on a map available at the refuge headquarters and from the Area Manager, Bureau of Sport Fisheries and Wildlife, 601 E. 12th Street, Kansas City, Missouri 64106. Hunting shall be in accordance with all State regulations governing the hunting of deer with bow and arrow and shall be permitted only during the regular Iowa archery deer season, October 13, 1973, to November 25, 1973, and December 8, 1973 through December 16, 1973.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 16, 1973.

JAMES E. FRATES,
Refuge Manager, DeSoto National Wildlife Refuge, Missouri Valley, Iowa.

SEPTEMBER 7, 1973.

[FR Doc.73-19743 Filed 9-17-73; 8:45 am]

PART 32—HUNTING

Eastern Neck National Wildlife Refuge, Md.

The following special regulation is issued and is effective during the period October 12, 1973 through December 31, 1973.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

MARYLAND

EASTERN NECK NATIONAL WILDLIFE REFUGE

Public hunting of white-tailed deer on the Eastern Neck National Wildlife Refuge, Maryland, is permitted on all areas except County roads, parking areas, and areas designated by signs as closed to hunting. This open area, comprising 2,169 acres, is delineated on maps available from Eastern Neck National Wildlife Refuge, Route 2, Box 225, Rock Hall, Maryland 21661, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, John W. McCormack Post Office and Courthouse, Boston, Massachusetts 02109. Hunting shall be in accordance with all applicable State regulations governing the hunting of white-tailed deer, subject to the following special conditions:

(1) White-tailed deer may be taken from sunrise to sunset during the following open seasons:

Archery hunt only: October 12 and 13, 1973.

Muzzle loading longarm hunt only: October 19 and 20, 1973.

Shotgun hunt only: October 26 and 27, 1973.

(2) Bag limits: One deer, either sex.

(3) All participants in the deer hunt must check in and out at the refuge check station before entering or leaving the refuge. All deer killed must be presented for examination at the refuge check station on the day killed.

(4) Hunters may not enter the refuge before one hour before sunrise and must

check out no later than one hour after sunset.

(5) Possession of loaded weapons, including arrows notched in bow, on County blacktop roads, in designated parking areas, in or on vehicles and before shooting hours is prohibited.

(6) All hunters must enter and leave by way of State Road 445 only. Entry by boat is prohibited.

(7) During the gun hunts all hunters must furnish and wear, so as to be readily noticeable, daylight fluorescent orange caps or hats and vests, shirts, or coats of the same color while on the hunting areas.

(8) Hunters under 18 years of age must be accompanied by either a hunting permit holding adult or a non-hunting adult with a refuge issued identification pass.

(9) Contained fire cooking devices will be allowed within fifty (50) feet of legally parked vehicles and in the Ingleside Recreation Area.

(10) Pre-season deer hunt scouting will be allowed from sunrise to sunset September 29, 1973 through October 4, 1973. Only those persons that have received a hunting permit may scout. The hunting permit will be carried by the scout and will serve as his permit to scout.

(11) All hunters must exhibit their hunting weapons, game, Federal permit, deer-turkey stamp and State hunting license to Federal or State officers on request.

(12) A completed proficiency certificate will be required of muzzleloading hunters in addition to the Federal hunting permit. This must be presented at the check station prior to entering for the hunt. The certificate will contain identification of shooter, identification of certifying individual, and will verify that the shooter placed three consecutive shots in a 12 inch bullseye at 50 yards distance using an off-hand firing position and State minimums of powder grains and ball diameter. The weapon ignition system used to hunt must be the same as that used to qualify.

(13) A Federal hunt permit will be required of all participants in the deer hunts. Permits will be issued in advance of the season to hunters selected by a public drawing of completed, legible applications received. Applications must be received no later than September 13, 1973 at the refuge office for the public drawing starting at 12:30 PM, September 18, 1973 at the Eastern Neck National Wildlife Refuge Office. Permits will be limited to 300 per day for archery hunting and 150 per day for gun hunting.

(14) This permit must be returned to the refuge at check-out or in the case of persons unable to hunt on day selected, the permit must be returned prior to December 31, 1973. Non-compliance will be grounds for non-selection in future hunts.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title

50, Code of Federal Regulations, Part 32, and are effective through December 31, 1973.

RICHARD E. GRIFFITH,
Regional Director, Bureau of
Sport Fisheries and Wildlife.

SEPTEMBER 7, 1973.

[FR Doc.73-19746 Filed 9-17-73;8:45 am]

PART 32—HUNTING

Rice Lake National Wildlife Refuge, Minn.

The following special regulation is issued and is effective on September 13, 1973.

§ 32.32 Special regulations; upland game; for individual wildlife refuge areas.

MINNESOTA

RICE LAKE NATIONAL WILDLIFE REFUGE

Public hunting of ruffed grouse on the Sandstone Unit of the Rice Lake National Wildlife Refuge and the Rice Lake National Wildlife Refuge proper, is permitted from sunrise to sunset September 15 through October 29, 1973 and from November 1 through November 30, 1973, only on the areas designated by signs as open to hunting. The open area of Rice Lake National Wildlife Refuge, comprising 2,000 acres, is delineated on a map available at refuge headquarters, McGregor, Minnesota and from the Regional Director, Bureau of Sport Fisheries and Wildlife Federal Building, Fort Snelling, Twin Cities, Minnesota 55111. Hunting shall be in accordance with all applicable State regulations governing the hunting of upland game.

LELAND A. THORNBLOOM,
Acting Refuge Manager, Rice
Lake National Wildlife Refuge,
McGregor, Minnesota
55760.

SEPTEMBER 10, 1973.

[FR Doc.73-19744 Filed 9-17-73;8:45 am]

CHAPTER II—NATIONAL MARINE FISHERIES SERVICE, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, DEPARTMENT OF COMMERCE

SUBCHAPTER F—AID TO FISHERIES

PART 253—COMMERCIAL FISHERIES RESEARCH AND DEVELOPMENT

SEPTEMBER 10, 1973.

On page 17016 of the FEDERAL REGISTER of June 28, 1973, there was published a notice of proposed rulemaking setting forth amended procedures to be used by the Secretary in providing financial assistance to State agencies for research and development of the commercial fisheries resources of the Nation under the authority of the Commercial Fisheries Research and Development Act of May 20, 1964 (78 Stat. 197, 16 U.S.C. 779a-779f), as amended by the Act of October 4, 1968 (82 Stat. 957, 16 U.S.C. 779b), and as further amended by the Act of October 27, 1972 (86 Stat. 1303).

Interested persons were given 32 days in which to submit written comments, suggestions, or objections with respect to the proposed amended regulations to the Director, National Marine Fisheries Service, Washington, D.C. In addition, every State commercial fishery agency was independently notified, as were members of the Advisory Commission on Intergovernmental Relations in accordance with OMB Circular A-85.

A change was suggested which would add the words "or inadequately harvested" to the proposed meaning of "developing a new commercial fishery" in § 253.2(d). The change was not made on the grounds of inconsistency with the intent of the Act to develop a new commercial fishery. Another change suggested was to allow funds apportioned to a State under subsection 4(a) to remain available "until expended by said State." The suggestion was not adopted on the grounds of inconsistency with the Act which limits availability of funds under subsection 4(a) to 2 fiscal years.

Therefore, all comments having been fully considered and no changes being made, the part as so proposed is hereby adopted. These regulations are effective on September 18, 1973.

Issued at Washington, D.C., pursuant to authority delegated to me by the Secretary of Commerce.

(Catalog of Federal Domestic Assistance Program No. 15.003, Promotion of State Commercial Fishery Research and Development.)

HOWARD W. POLLOCK,
Acting Administrator.

SEPTEMBER 10, 1973.

Sec.
253.1 Definitions.
253.2 Interpretation of the authorization.
253.3 General provisions.
253.4 Use of funds.
253.5 Environment.
253.6 Assurances.

AUTHORITY: Sec. 8, Commercial Fisheries Research and Development Act of 1964, 78 Stat. 197 (16 U.S.C. 779a-779f), as modified by Reorganization Plan No. 4 of 1970, effective October 3, 1970 (35 FR 15627).

§ 253.1 Definitions.

As used in this part, terms shall have the meaning ascribed in this section.

(a) *Secretary*. The Secretary of Commerce or his authorized representatives.

(b) *Act*. The Commercial Fisheries Research and Development Act of 1964, Public Law 88-309, 78 Stat. 197, as amended by Public Law 90-551, 82 Stat. 957, and Public Law 92-590, 86 Stat. 1303 (16 U.S.C. 779 et seq.).

(c) *Grantee*. A State agency participating in a grant-in-aid award with the Secretary.

(d) *Application*. A description of work to be accomplished, including objectives, results expected, procedures, cost, location, and time required for completion, and such other information as may be required by the Secretary.

(e) *Grant-in-aid award*. A written agreement for research and development activities to be carried on as provided

by the Act and these regulations. Such award shall set forth the terms and conditions binding upon the grantee and the Secretary, including the objectives, procedures, costs, the award period, and such other provisions as may be appropriate.

(f) *Aquatic plants and animals.* All animals and plants growing or living in or upon water, including finfish, shellfish, and other marine invertebrates, fur seals, whales and other marine mammals, frogs, turtles, and algae.

(g) *Commercial fisheries resources.* Any aquatic plant or animal available or potentially available for harvesting with the primary intent of commercial use as either raw or manufactured products.

§ 253.2 Interpretation of the authorization.

The terms used in the Act to describe the authorization to the Secretary for program and apportionment purposes are construed to be limited to the meanings ascribed in this section.

(a) *Research and development.* The words "research and development" mean program of work, including construction and acquisition, designed to acquire knowledge of commercial fisheries resources and their environment, and to develop and apply methods and techniques to enhance such commercial fisheries resources including their harvest, conservation and utilization.

(b) *Raw fish harvested by domestic commercial fishermen and received within a State.* The words "raw fish harvested by domestic commercial fishermen and received within a State" mean living aquatic plants and animals harvested by individuals, associations, partnerships or corporations resident in and authorized to do business in any State and engaged in harvesting of commercial fisheries resources or the processing and manufacturing of products therefrom. Aquatic plants and animals are received within a State when transferred from a catcher vessel within the jurisdiction of a State or permanently removed from a fish production facility.

(c) *Manufactured and processed fishery merchandise.* The words "manufactured and processed fishery merchandise" mean commercial fisheries resources or parts thereof after undergoing a change(s) contributing to or achieving a condition of readiness for sale.

(d) *Developing a new commercial fishery.* The words "developing a new commercial fishery" mean activities designed to assist the commercial fishing industry by developing and evaluating methods for the harvest, utilization, and conservation of commercial fisheries resources not commonly utilized.

(e) *Commercial fishery failure due to a resource disaster arising from natural or undetermined causes.* The words "commercial fishery failure due to a resource disaster arising from natural or

undetermined causes" mean a serious disruption of a commercial fisheries resource affecting present or future productivity. It does not include inability to sell raw fish or manufactured and processed fishery merchandise or compensation for economic loss suffered by any segment of the fishing industry as the result of a resource disaster.

(f) *State.* The word "State" means the several States of the United States, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, and Guam.

§ 253.3 General provisions.

(a) *Designation of State agency.* The Governor of each State shall notify the Secretary which agency of the State government is authorized under its laws to regulate commercial fisheries and is designated to submit applications and to enter into grant-in-aid awards. An official of such agency shall certify as to the official(s) authorized in accordance with State law to commit the State to participation under the Act, to sign project documents, and to receive payments. The Secretary shall be advised promptly of any changes made in such authorizations.

(b) *Application.* (1) An application for Federal assistance shall be submitted for each proposed project for approval by the Secretary. An approved application shall not be binding upon the parties until incorporated in a grant-in-aid award.

(2) Applications utilizing an allocation of State funds additional to amounts previously allocated by the State for commercial fishery research and development activities shall be preferred over applications utilizing an allocation of State funds which does not involve an increase of State funds dedicated to commercial fishery research and development programs. No application which involves a reduction of State funds previously dedicated to commercial fishery research and development will be approved.

(c) *Grant-in-aid award.* (1) After the Secretary has approved an application, activities to be undertaken by the grantee and the obligation of Federal funds shall be evidenced by a grant-in-aid award executed by the grantee and the Secretary. Such awards may be amended by mutual consent of the parties.

(2) The grant-in-aid award shall contain applicable provisions as required by Federal law and regulations. These provisions are identified in the Grant-in-Aid Handbook, NOAA Handbook No. 22, the most recent version of which may be obtained from the Director, National Marine Fisheries Service.

(d) *Prosecution of work.* (1) The prosecution of work by the grantee shall be performed in a manner acceptable to the Secretary. Unsatisfactory performance shall be cause for the Secretary to withhold payments. Grant-in-aid awards

may be terminated or suspended upon determination by the Secretary that satisfactory progress has not been maintained.

(2) All work shall be performed in accordance with applicable State laws except when such laws are in conflict with Federal laws or regulations, in which case such Federal law or regulations shall prevail.

(e) *Economy and efficiency of operation.* No grant-in-aid award shall be executed until the grantee has shown to the satisfaction of the Secretary that appropriate and adequate means shall be employed to achieve economy and efficiency, including the avoidance of undesirable duplication, in the completion of a project.

§ 253.4 Use of funds.

(a) *Apportionment of subsection 4(a) funds.* On July 1 of each year, or as soon thereafter as practicable, the Secretary shall notify respective States of the amount of funds authorized under subsection 4(a) of the Act and apportioned to each State under subsection 5(a) of the Act. Funds apportioned to a State in any fiscal year shall remain available to it for obligation until the end of the succeeding fiscal year and, if unobligated at that time, such funds shall be returned to the Treasury of the United States.

(b) *Use of authorized funds for commercial fisheries resource disaster.* (1) The Secretary shall cause to be published in the FEDERAL REGISTER a notice that a commercial fisheries resource disaster exists at the time such a finding is made.

(2) After such publication, Federal funds may be used for 100 percent of the cost of restoration of commercial fisheries resources if all the funds are obtained from appropriations authorized under subsection 4(b) of the Act.

(c) *Use of funds for developing a new commercial fishery.* (1) Applications related to the development of new commercial fishery may be approved only after the Secretary determines that such applications will reasonably accomplish the purpose of developing a new commercial fishery.

(2) The Secretary may finance up to 100 percent of the cost of developing a new commercial fishery.

§ 253.5 Environment.

Projects shall be performed in such manner as to be consistent with the policies set forth in the National Environmental Policy Act of 1969 (83 Stat. 852).

§ 253.6 Assurances.

The State must assure and certify that it will comply with all applicable Federal laws, regulations, and requirements as they relate to the application, acceptance, and use of Federal funds for projects under the Act in accordance with OMB Circular A-102.

[FR Doc.73-19784 Filed 9-17-73; 8:45 am]

Proposed Rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rulemaking prior to the adoption of the final rules.

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 243]

JACKSON RANCHERIA, AMADOR COUNTY, CALIFORNIA

Distribution of Assets

Correction

In FR Doc. 73-16864 appearing on page 22034 in the issue of Wednesday, August 15, 1973, paragraph (a)(5) of § 243.3 should read as follows:

"(5) The dependent members of the immediate families of those Indians in paragraphs (a) (1), (2), (3) and (4) of this section."

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[9 CFR Part 113]

VIRUSES, SERUMS, TOXINS, AND ANALOGOUS PRODUCTS

Testing and Evaluation

Notice is hereby given in accordance with the provisions contained in section 553(b) of Title 5, United States Code (1966), that it is proposed to amend certain of the regulations relating to viruses, serums, toxins, and analogous products in Part 113 of Title 9, Code of Federal Regulations, issued pursuant to the provisions of the Virus-Serum-Toxin Act of March 4, 1913 (21 U.S.C. 151-158).

These proposed amendments would codify in Part 113 the test methods, procedures and criteria established by Veterinary Services for evaluating twenty-six biological products to be pure, safe, potent and efficacious and not to be worthless, contaminated, dangerous or harmful. Each of these products must meet the applicable requirements before they can be released for market.

These requirements have been developed over a period of years in cooperation with interested members of the scientific society and, for the most part, have been utilized by industry either as accepted requirements or as proposals under development.

The publication of these requirements is done to make more readily available to the general public these requirements which now appear in administrative memorandum.

One safety test utilizing mice as test animals and another utilizing guinea pigs as test animals are codified in two new sections. One or both of these tests will be conducted on samples of each serial produced when such tests are prescribed in a Standard Requirement or approved

Outline of Production for a product. If the results are unsatisfactory, the serial will not be released for market.

Standard Requirements for three diagnostic agents—Tuberculin, Pullorum Antigen, and Avian Mycoplasma Antigen—used in disease detection programs throughout the United States are included in three new sections. It is essential to these programs that the agents used are uniformly prepared and tested. These requirements will make this possible.

Reference is made in this document to a notice of proposed rulemaking published in the FEDERAL REGISTER, Volume 38, No. 112, June 12, 1973, in which §§ 113.50-113.64 were issued.

Part 113, Standard Requirements, of Title 9 of the Code of Federal Regulations, is amended by adding the following new material:

§ 113.38 Guinea pig safety test.

The guinea pig safety test provided in this section shall be conducted when prescribed in a Standard Requirement or approved Outline of Production for a biological product. When desiccated products are tested, final container samples of completed product prepared for administration in the manner recommended on the label shall be used. When liquid products are tested, either bulk or final container samples of completed product shall be used.

(a) Unless otherwise specified in the Standard Requirement or approved Outline of Production for the product, a 2 ml dose shall be injected intramuscularly into each of two guinea pigs and the animals observed for 7 days.

(b) If unfavorable reactions attributable to the product occur in either of the guinea pigs during the observation period, the serial or subserial is unsatisfactory. If unfavorable reactions which are not attributable to the product occur, the test shall be declared inconclusive and may be repeated; *Provided*, That, if the test is not repeated, the serial or subserial shall be declared unsatisfactory.

§ 113.39 Mouse safety test.

The mouse safety test provided in this section shall be conducted when prescribed in a Standard Requirement or approved Outline of Production for a biological product. When desiccated products are tested, final container samples of completed product prepared for administration in the manner recommended on the label shall be used. When liquid products are tested, either bulk or final container samples of completed product shall be used.

(a) Unless otherwise specified in the Standard Requirement or approved Outline of Production for the product, a 0.5 ml dose shall be injected intraperitoneally into eight mice and the animals observed for 7 days.

(b) If unfavorable reactions attributable to the product occur in any of the mice during the observation period, the serial or subserial is unsatisfactory. If unfavorable reactions which are not attributable to the product occur, the test shall be declared inconclusive and may be repeated; *Provided*, That, if the test is not repeated, the serial or subserial shall be declared unsatisfactory.

NOTE.—Sections 113.50-113.64 appeared in notice of proposed rulemaking in the FEDERAL REGISTER, Volume 38, No. 112, June 12, 1973, pages 15450-15456.

DIAGNOSTICS AND REAGENTS

§ 113.65 Tuberculin, Intradermic.

Tuberculin, Intradermic, is a filtrate produced from cultures of Pn, C, and Dt strains of *Mycobacterium tuberculosis* which have been rendered sterile and nonpathogenic. Each serial shall be tested for purity, safety, potency, and special chemical tests in accordance with the conditions prescribed for each test. A serial found unsatisfactory by any prescribed test shall not be released.

(a) *Purity test.* Each serial shall be tested for purity as provided in this paragraph.

(1) Final container samples of completed product shall be tested for viable bacteria and fungi as prescribed in § 113.26.

(2) A 20 ml sample shall be centrifuged and the sediment examined microscopically for the presence of acidfast (Ziehl-Nielsen stain) or other microorganisms (Gram stain). A serial which contains microorganisms is unsatisfactory for release.

(b) *Safety test.* Final container samples of completed product from each serial shall be tested for safety. Two mature guinea pigs shall be injected subcutaneously with 1 ml and observed for 10 days. If unfavorable reactions attributable to the product occur during the observation period, the serial is unsatisfactory. If unfavorable reactions occur which are not attributable to the product, the test shall be declared inconclusive and repeated; *Provided*, That if the test is not repeated, the serial shall be declared unsatisfactory.

(c) *Potency test.* Final container samples of completed product from each serial shall be subjected to a comparison

test using a Reference Tuberculin supplied by Veterinary Services. Test animals shall be 10 sensitized white female guinea pigs from one source which weigh 500-700 grams at the beginning of the test and which have not been used in a previous test. The comparison test shall be conducted in accordance with the procedures prescribed in paragraph (c) (1), (2), (3), (4), (5), (6), (7), and (8) of this section.

(1) The guinea pigs shall be sensitized with a sterile heat-killed suspension of equal amounts of strains Pn, C, and Dt of *Mycobacterium tuberculosis*. The heat-killed sensitizing agent shall be injected intramuscularly into the medial side of both thighs in dosages of 0.25 ml per injection site for a total of 0.5 ml per guinea pig. The guinea pigs shall be sufficiently sensitized for testing not less than 30 days nor more than 120 days post-injection.

(2) The guinea pigs shall be prepared for sensitivity testing at least 4 hours prior to the injection of tuberculin. The entire abdominal and flank areas shall be clipped, a depilatory agent applied for 5-10 minutes, the area rinsed with warm water, and dried.

(3) Dilutions of 1:100, 1:200, and 1:400 shall be prepared with the Reference Tuberculin and the unknown tuberculin. Three test sites on each side of and equidistant from the abdominal midline shall be chosen on each guinea pig. Using a tuberculin syringe and needle, 0.05 ml of each dilution shall be injected intradermally at one of the test sites which has been randomly selected for the dilution.

(4) The sensitivity of the tuberculin shall be determined 24 hours after injection by measuring the area of swelling and erythema. Measurements in millimeters shall be made anterior of the greatest diameter and perpendicular to the first measurement. The square millimeter shall be calculated by multiplying the two measurements.

(5) The total area of response for each tuberculin tested shall be determined by adding the areas of each dilution of each of the test animals in a group. The sums for all three dilutions of each tuberculin shall be added to give the total area of tuberculin response.

(6) The total tuberculin response area of the serial being tested shall be expressed as a percentage of the total tuberculin response area of the Reference Tuberculin. (The total response area of the serial divided by the total response area of the Reference Tuberculin times 100.)

(7) If the total tuberculin response area of the serial being tested does not fall between 75 percent and 125 percent of the total tuberculin response area of the Reference Tuberculin, the serial is unsatisfactory.

(8) "No Test"—Two unsensitized guinea pigs are given intradermal injections of 0.05 ml dilutions of 1:4 and 1:10 of both the serial being tested and the Reference Tuberculin as a control for false positive reactions. If false positive

reactions are observed, the test shall be considered a "No Test" and the serial shall be retested.

(d) *Special chemical tests and requirements.* Final container samples of completed product from each serial shall be tested as follows:

(1) *Hydrogen ion concentration.* The hydrogen ion concentration shall be determined with a pH meter which has been standardized with a pH 7.0 buffer just prior to use. The pH of the product shall be 7.0 ± 0.3 .

(2) *Total nitrogen determination.* The nitrogen content shall be determined by the Kjeldahl method on duplicate 15 ml samples consisting of 5 ml from each of three vials. The total nitrogen content of the product shall be 0.18 percent ± 0.06 percent.

(3) *Trichloroacetic acid precipitable nitrogen.* The determination of precipitable nitrogen by a final concentration of 4 percent trichloroacetic acid shall be made by the Kjeldahl method on duplicate 15 ml samples, consisting of 5 ml from each of three vials. The trichloroacetic acid precipitable nitrogen content shall be 0.047 percent ± 0.01 percent.

(4) *Phenol determination.* The phenol content shall be determined by direct titration with a standardized bromide-bromate solution. (A correction factor of 0.04 should be subtracted from the final value in the determination of phenol in tuberculin.) The phenol content shall be 0.54 percent ± 0.04 percent.

(5) *Clarity.* The product shall be optically clear and free from any extraneous particles.

§ 113.66 Pullorum antigen.

Pullorum Antigen shall be produced from a culture of representative strains of *S. pullorum* which are of known antigenic composition, high agglutinability, but are not sensitive to negative and nonspecific serum. Each serial shall be tested for purity, density, preservative content, sensitivity, homogeneity, and hydrogen ion concentration. A serial found unsatisfactory by any prescribed test shall not be released.

(a) *Purity test.* Final container samples of completed product shall be tested for viable bacteria and fungi as prescribed in § 113.26. In addition, each serial shall be free from extraneous organisms as determined by Gram staining and microscopic examination.

(b) *Nephelometric determination of bacterial density.* The bacterial density shall be 80 ± 15 times McFarland No. 1 standard for stained antigen K's and 50 ± 10 times McFarland No. 1 standard for tube antigen.

(c) *Preservative requirements.* (1) The formalin content of Pullorum Stained Antigen K shall be 1.0 ± 0.2 percent as determined by a colorimetric method.

(2) The phenol content for Pullorum Tube Antigen shall be 0.55 ± 0.05 percent as determined by direct titration with a standardized bromide-bromate solution.

(d) *Sensitivity requirements.* (1) Each serial of antigen shall be compared with a reference antigen of known sensitivity

using positive and negative chicken serum. The manufacturers' recommendations for use on the accompanying label or package insert shall be followed. The recommended time limit specified for each antigen shall be carefully observed in the test.

(2) A total of at least 12 serums shall be used. This shall include at least three definitely positive, at least three weakly positive, and at least six negative serums. At least three positive chicken serums diluted with negative chicken serum shall be used to further assay comparative sensitivity between test and reference plate antigens. All test antigens shall agree closely with the reference antigen. Tests in which variation of readings between the reference and test antigen would result in a different National Poultry Improvement Plan classification shall be regarded as unsatisfactory. No unsatisfactory tests among the six or more negative serums and not more than one unsatisfactory test among the six or more positive serums shall be permitted. All tests performed shall be included for evaluation of the sensitivity assay. In the event of an unsatisfactory test using positive serums, at least three additional definitely positive and three additional weakly positive serums shall be tested. If not more than one unsatisfactory test is obtained with the additional serums, the antigen shall be acceptable.

(e) *Homogeneity requirement.* Antigens shall show no evidence of autoagglutination or unusual appearance such as the presence of flakes, specks, or a preponderance of filament forms. Microscopic examination may aid in this determination.

(f) *Hydrogen ion concentration requirements.* Each serial of all Pullorum Antigens shall be tested for hydrogen ion concentration. Use of a standard pH meter, calibrated with Standard pH 4.0 buffer solution, is recommended. Such test shall indicate a hydrogen ion concentration of $\text{pH } 4.6 \pm 0.4$ for the Pullorum Stained Antigen K's. No pH level is specified for Pullorum Tube Antigen, but after dilution as recommended for use, it shall have a pH of 8.2-8.5.

§ 113.67 Avian mycoplasma antigen.

Mycoplasma antigens shall be prepared from organisms grown in broth cultures that are inactivated and standardized. Plate antigens shall be stained with an acceptable dye, but tube antigens shall be unstained. Final container samples of completed product from each serial shall be tested for density, preservative content, homogeneity, hydrogen ion concentration, purity, sensitivity, and specificity in accordance with the conditions prescribed for each test. A serial found unsatisfactory by any prescribed test shall not be released.

(a) *Density requirements.* A 2.5 ml sample of completed antigen shall be diluted with 2.5 ml of Sorenson's buffer solution (use buffer solution at pH 6.0 for Mycoplasma Gallisepticum Plate Antigen and at pH 7.0 for Mycoplasma Gallisepticum Tube Antigen and Mycoplasma Synoviae Plate Antigen) in a

modified Hopkins tube and sedimented at 1,000 $\times$ g in a refrigerated centrifuge at 20° C for 90 minutes. If the packed cell volume of the completed antigen is not 1.0 percent ($\pm$ 0.2 percent), the serial is unsatisfactory.

(b) *Preservative requirements.* Only preservatives written in an approved Outline of Production shall be used. If phenol is used, a direct titration with a standardized bromide-bromate solution shall be made; *Provided*, That if the final concentration of phenol is not 0.25 percent ($\pm$ 0.05 percent), the serial is unsatisfactory.

(c) *Homogeneity requirements.* (1) Plate antigen shall be checked on a plate for homogeneity. If plate antigen is not homogeneous and free of visible particles and clumps, the serial is unsatisfactory.

(2) Tube antigen shall be checked for homogeneity and autoagglutination. If tube antigen is not homogeneous and free of large visible particles and clumps, or if it autoagglutinates, the serial is unsatisfactory.

(3) Stereo-microscopic examination shall be used when necessary to evaluate a granular appearing antigen.

(d) *Hydrogen ion concentration requirements.* If the antigen does not have a pH of 6.0 $\pm$ 0.2 unit for Mycoplasma Gallisepticum Plate Antigen, or 7.0 $\pm$ 0.2 unit for Mycoplasma Gallisepticum Tube Antigen and Mycoplasma Synoviae Plate Antigen, the serial is unsatisfactory.

(e) *Purity requirements.* The antigen shall be tested for viable bacteria and fungi as prescribed in § 113.26.

(f) *Sensitivity requirements.* (1) Mycoplasma Gallisepticum Antigen—Plate or Tube Test reactions of the serial shall be compared with a reference antigen using both known negative chicken and turkey serums (the positive serums shall have varying degrees of reactivity from weakly positive to strongly positive). Five positive serums shall be tested against plate antigen in the 1:4 dilution or tube antigen in the 1:20 dilution; five negative serums shall be tested against plate antigen undiluted or tube antigen in the 1:20 dilution. If negative serums do not have negative reactions in this test or the test antigen and the reference antigen do not have the same reactions with the positive serums or both, the serial is unsatisfactory; *Provided*, That a variation is permitted with one of the five serums in each set used.

(2) Mycoplasma Synoviae Antigen. Plate—Test reactions of the serial shall be compared with a reference antigen using both known negative chicken serum and positive chicken serums. The five negative serums shall be tested against the antigen undiluted and the positive serums shall be tested against the antigen in the 1:4 dilution. If negative serums do not have negative reactions in this test or the test antigen and the reference antigen do not have the same reactions with the positive serums or both, the serial is unsatisfactory; *Provided*, That a variation is permitted with one of the five serums in each set used.

(g) *Specificity requirements.* Mycoplasma Synoviae Antigen shall be examined for cross-agglutination with Mycoplasma gallisepticum antiserum. If cross-agglutination occurs, the serial is unsatisfactory.

§ 113.68–§ 113.74 [Reserved]

§ 113.75 General requirements for biological products of animal blood origin.

Each serial of biological product prepared from the blood of animals shall comply with the general requirements prescribed in this section unless otherwise provided for in a Standard Requirement or approved Outline of Production for such product. Any serial found unsatisfactory by a prescribed test shall not be released.

(a) *Purity requirements.* Biological products of animal blood origin shall contain only serum constituents, preservatives, and safe amounts of chemicals used in the manufacturing procedures. Final container samples of completed product shall be tested for viable microorganisms as provided in § 113.26.

(b) *Safety requirements.* Bulk or final container samples of completed product from each serial shall be tested for safety as provided in § 113.39.

(c) If no label claim for specific antibody content can be substantiated by the licensee, the product shall be considered a normal serum; *Provided*, That, if the serum does contain demonstrable antibodies which have been produced in response to specific antigens injected into the blood producing animals, the product shall be considered an antiserum, except that:

(1) An antiserum concentrated at least twofold by the removal of water may be considered an antibody concentrate; and

(2) An antiserum fractionated by suitable means to remove most of the non-globulin material and concentrated to increase the amount of globulin at least twofold over the amount in the original antiserum may be considered a globulin concentrate.

(d) Normal serum, antiserum, and antiserum derivatives shall contain at least one preservative in the following table. The amount shall be within the range of concentration set forth and the type used shall be indicated on the label.

(1) Phenol 0.25 to 0.55 percent, or
(2) Cresol 0.10 to 0.30 percent, and/or
(3) Thimerosal 0.01 to 0.03 percent, or
(4) Other preservative(s) specified in the approved Outline of Production for the product.

(e) If a potency test has been issued in a Standard Requirement or is written in an approved Outline of Production for an antiserum, an antiserum concentrate, or a globulin concentrate, the potency shall be sufficient for the product to satisfactorily meet the requirements of such test. Unless otherwise specified in the test procedure, the test sample of antiserum concentrate or globulin concentrate shall be diluted

with 1 percent peptone solution to a volume equal to the contents of the sample times the concentration factor specified in such approved Outline of Production prior to conducting the test.

(f) If a potency test has not been issued in a Standard Requirement or is not written into an approved Outline of Production for an antiserum, an antiserum concentrate, or a globulin concentrate, such product shall meet the requirements in this paragraph.

(1) The globulin content of antiserum, normal serum, and globulin concentrate shall be determined by electrophoretic mobility or other equally acceptable tests.

(i) The globulin content of antiserum and normal serum shall equal or exceed the amounts per ml listed according to the species of origin as follows:

Species:	Globulin (mg/ml)
Bovine	45
Equine	50
Porcine	35
Canine	25
Feline	25

(ii) The globulin content of globulin concentrate shall exceed the value given for the antiserum from a particular species by the multiple of the concentration factor prescribed in the approved Outline of Production.

(iii) Globulin concentrates shall be fractionated in such a manner that the protein content shall contain greater than 90 percent globulin as determined by electrophoretic mobility or other acceptable tests.

(2) The level of protein content for antiserum and normal serum shall equal or exceed the amounts per ml listed according to the species of origin as follows:

Species:	Protein (mg/ml)
Bovine	60
Equine	60
Porcine	55
Canine	45
Feline	45

(3) The protein content of an antiserum concentrate shall exceed the value given in the table for the antiserum from a particular species in paragraph (f) (2) of this section by the multiple of the concentration factor prescribed in the approved Outline of Production.

§ 113.76 Tetanus Antitoxin.

Tetanus Antitoxin is a specific antibody obtained from the blood of healthy horses hyperimmunized with an antigen prepared with a good toxin-producing strain of *Clostridium tetani*. Each serial shall meet the general requirements provided in paragraph (a) of this section and shall be tested for purity, safety, and potency as provided in paragraphs (b), (c), and (d) of this section. Any serial found unsatisfactory by a prescribed test shall not be released.

(a) *General requirements.* The amount of antitoxin in a final container shall be the amount which is delivered from such container when opened and inverted until the flow stops. A graduated volumetric

cylinder which conforms to the National Bureau of Standards requirements shall be used. The reading shall be made at the bottom of the meniscus and recorded to the nearest 0.1 ml.

(1) All final containers of Tetanus Antitoxin shall yield not less than the labeled unitage of antitoxin throughout the dating period. The minimum package size permitted for marketing in the United States shall be a 1,500 unit vial.

(2) The expiration date of Tetanus Antitoxin shall be not more than 3 years after the date of a potency test demonstrating that the recoverable volume of the final container provides a 20 percent excess over the labeled unitage.

(b) *Purity test.* Final container samples of completed product from each serial shall be tested for viable bacteria and fungi as prescribed in § 113.26.

(c) *Safety test.* Final container samples of completed product from each serial shall be tested for safety as provided in § 113.39.

(d) *Potency test.* Final container samples of completed product from each serial shall be assayed to determine the units of tetanus antitoxin in each final container. A comparative toxin-antitoxin neutralization test shall be conducted using a standard antitoxin and a standard toxin. All dilutions shall be made with a M 15 phosphate buffered (pH 7.4) physiological saline with 0.2 percent gelatin.

(1) One ml of the standard antitoxin shall be diluted before use so the final volume contains 0.1 unit per ml.

(2) The standard toxin test dose is that amount which when mixed with 0.1 unit of standard antitoxin, incubated at room temperature for 1 hour, and injected subcutaneously into a 350 gram guinea pig, results in death of that guinea pig within approximately 96 hours with clinical signs of tetanus. The toxin shall be diluted so the test dose shall be in 2.0 ml.

(3) A mixture of diluted standard toxin and diluted standard antitoxin shall be made so 0.1 unit of antitoxin is combined with a test dose of toxin. This standard toxin-antitoxin mixture shall be held at room temperature for 1 hour before injections are made.

(4) Each serial of antitoxin shall be prepared as was the standard toxin-antitoxin mixture, except the amount of antitoxin shall be based on an estimation of the expected potency. The final titration shall include a test at the expected unit value, one dilution above and one below.

(5) Normal guinea pigs weighing within a range of 340-380 grams shall be used. Pregnant guinea pigs must not be used.

(i) Each of two guinea pigs (controls) shall be injected subcutaneously with a 3.0 ml dose of the standard toxin-antitoxin mixture. These shall be observed parallel with the titration of one or more unknown antitoxins.

(ii) Two guinea pigs shall be used as test animals for each of three dilutions of the unknown antitoxin. A 3.0 ml dose shall be injected subcutaneously into each animal.

(6) Controls shall be observed until all are dead, or for 6 days, the time of death being recorded in hours. To be a satisfactory test, the controls must die with clinical signs of tetanus in 60-120 hours, the mean time of death being approximately 96 hours. The clinical signs to be observed are increased muscle tonus, curvature of the spine, asymmetry of the body outline when the resting animal is viewed from above, generalized spastic paralysis, particularly of the extensor muscles, inability to rise from a smooth flat surface when the animal is placed on its side, or any combination of these signs.

(7) Potency of a new antitoxin is determined by finding the mixture which will protect the test animal the same as the standard toxin-antitoxin mixture. Test animals dying sooner than the controls indicate the unit value selected in that dilution was not present, whereas those living longer indicate a greater unit value.

§ 113.77 Swine erysipelas antiserum.

Swine Erysipelas Antiserum shall be prepared from the blood of horses hyperimmunized with antigenic strains of *Erysipelothrix insidiosa*. Each serial shall be tested for purity, safety, and potency as provided in this section. Any serial found unsatisfactory by a prescribed test shall not be released.

(a) *Purity test.* Final container samples of completed product from each serial and subserial shall be tested for viable bacteria and fungi as prescribed in § 113.26.

(b) *Safety test.* Bulk or final container samples of completed product from each serial shall be tested for safety as provided in § 113.39.

(c) *Potency test.* Bulk or final container samples of completed product from each serial shall be tested using the following two-stage test:

(1) In the first stage, each of 40 Swiss albino mice, each weighing 16-20 grams, shall be injected subcutaneously with 0.1 ml of antiserum. Twenty-four hours post-injection, the injected mice and 10 additional mice designated as controls shall be challenged subcutaneously with the same culture of *Erysipelothrix insidiosa*.

(2) If the controls do not die from erysipelas within 7 days post-challenge, the test is invalid. All dead mice shall be examined to determine if the cause of death was the erysipelas organism.

(3) The antiserum injected mice shall be observed for 14 days post-challenge and all deaths recorded. The second stage shall be required when 7-10 of the antiserum injected mice die in the first stage. The second stage shall be conducted in a manner identical to the first stage.

(4) The results of the test shall be evaluated according to the following table:

Stage	Number of vaccinees	Cumulative number of vaccinees	Cumulative total number of deaths for a satisfactory test	Cumulative total number of deaths giving an unsatisfactory test
1.....	40	40	6 or less.....	11 or more.
2.....	40	80	12 or less.....	13 or more.

§ 113.78 Canine Distemper-Hepatitis-Leptospira Antiserum.

The antiserum shall be prepared from blood of dogs hyperimmunized with canine distemper virus, canine hepatitis virus, and one or more leptospira species until the final product shall provide passive immunity against the disease agents named on the label. Each serial and subserial shall be tested for purity, safety, and potency as provided in this section. A serial or subserial found unsatisfactory by any prescribed test shall not be released.

(a) *Purity test.* Final container samples of completed product from each serial and subserial shall be tested for viable bacteria and fungi as prescribed in § 113.26.

(b) *Safety test.* Bulk or final container samples of completed product from each serial shall be tested for safety as provided in § 113.39. Also, each of two healthy dogs shall be injected subcutaneously with the maximum dose recommended on the label for 1 pound body weight of a dog and each shall be injected intravenously with the maximum dose recommended on the label for 1 pound body weight of a dog. The injected dogs shall be observed for 14 days for unfavorable reactions. If unfavorable reactions attributable to the product occur in one or both of the dogs, the serial or subserial is unsatisfactory. If unfavorable reactions which are not attributable to the product occur, the test shall be declared inconclusive and may be repeated; *Provided*, That, if the test is not repeated, the serial shall be declared unsatisfactory.

(c) *Potency tests.* Bulk or final container samples of completed product from each serial shall be tested for potency as provided in this paragraph. Concentrated products shall be diluted with 1 percent peptone solution to the equivalence of regular serum before testing. Standard antisera and standard viruses, available upon request to Veterinary Services, shall be used.

(1) *Distemper fraction.* A virus neutralization test using chick embryo inoculation technique shall be conducted.

(i) Serial threefold dilutions shall be made of the serum under test and the standard antiserum. A volume of each serial dilution of serum shall be mixed with an equal volume of standard virus. For use in the test, the standard virus shall be diluted to contain 100-1,000 EID₅₀ per 0.1 ml.

(ii) A 1:2 dilution of the standard virus, as prepared for use in the test, shall be titrated in tenfold dilutions to determine the actual amount of virus used in the neutralization test. These dilutions shall be incubated along with serum/virus mixtures.

(iii) After 1 hour incubation at room temperature, 0.2 ml of each serum/virus mixture shall be inoculated onto the chorioallantoic membrane of at least five chicken embryos 6-8 days old. The inoculated embryos shall be incubated at 35-37° C for 6-7 days and the chorioallantoic membranes examined. Calculate the 50 percent end point of neutralization (ND₅₀) by the Reed and Muench or other acceptable statistical method.

(iv) The ND_{50} dilution of the test serum divided by the ND_{50} dilution of the standard serum is the test serum to standard ratio. A serial is unsatisfactory unless the average ratio of two tests is 0.67 or more.

(2) *Hepatitis fraction.* A virus neutralization test using canine kidney cell culture as the indicator system shall be conducted.

(i) Serial threefold dilutions shall be made of the antiserum under test and the standard antiserum. A volume of each serial dilution of serum shall be mixed with an equal volume of standard virus. The standard virus shall contain 100-1,000 TCID₅₀ per 0.1 ml.

(ii) A 1:2 dilution of the standard virus, as prepared for use in the test, shall be titrated in tenfold dilutions to determine the actual amount of virus used in the neutralization test. These dilutions shall be incubated along with serum/virus mixtures before inoculation of culture tubes.

(iii) After 1 hour incubation at room temperature, 0.2 ml of each serum/virus mixture shall be inoculated into five culture tubes containing dog kidney cell monolayers. The inoculated tubes shall be incubated at 35-37° C.

(iv) The tubes shall be observed daily for specific cytopathogenic changes from the 4th to 10th day postinoculation. The test shall be terminated before the 10th day if additional cytopathogenic changes do not occur in virus titration tubes over a 48 hour period.

(v) Results shall be recorded and the 50 percent end point of neutralization (ND_{50}) calculated by the Reed and Muench or other acceptable statistical method.

(vi) The ND_{50} dilution of the test serum divided by the ND_{50} dilution of the standard serum is the test serum to standard ratio. A serial is unsatisfactory unless the average ratio of two tests is 0.67 or more.

(3) *Leptospira fraction.* Young adult hamsters, each weighing 40-50 grams, shall be used as test animals. For each species of leptospira antibody included in the product, each of at least five hamsters shall be injected with 60 percent of the minimum dose recommended on the label for 1 pound body weight of a dog and at least five additional hamsters shall be used as controls.

(i) Within 24 hours following injection, the five injected hamsters and the five control hamsters for each species of leptospira shall be challenged intraperitoneally with a suspension of virulent leptospira organisms representative of the species. A dose of 10-1,000 hamster LD₅₀ shall be used. Both groups shall be observed for 14 days post-challenge and the results noted.

(ii) The test shall be conclusive if at least 80 percent of the controls in each group die from leptospirosis as demonstrated by acceptable cultural methods.

(iii) If the test is considered conclusive as provided in paragraph (c) (3) (ii) of this section, and less than 80 percent of the injected hamsters in a group remain normal during the observation period, the serial is unsatisfactory.

§ 113.79 Clostridium Perfringens Type C Antitoxin.

Clostridium Perfringens Type C Antitoxin shall be prepared from the blood of horses hyperimmunized with Clostridium Perfringens Type C toxin. Each serial shall be tested for purity, safety, and potency as provided in this section. A serial found unsatisfactory by any prescribed test shall not be released.

(a) *Purity test.* Final container samples of completed product from each serial and each subserial shall be tested for viable bacteria and fungi as provided in § 113.26.

(b) *Safety test.* Bulk or final container samples of completed product from each serial shall be tested for safety as provided in § 113.39.

(c) *Potency test.* Bulk or final container samples of completed product from each serial shall be tested using the toxin-neutralization test for Beta Antitoxin provided in this paragraph.

(1) When used in this test, the following words and terms shall mean:

(i) *International antitoxin unit.* (I.U.) That quantity of Beta Antitoxin which reacts with L₅₀ and L₁₀₀ doses of Standard Toxin according to their definitions.

(ii) *L₅₀ dose.* The largest quantity of toxin which can be mixed with one unit of Standard Antitoxin and not cause sickness or death in injected mice.

(iii) *L₁₀₀ dose.* The smallest quantity of toxin which can be mixed with one unit of Standard Antitoxin and cause death in at least 80 percent of injected mice.

(iv) *Standard antitoxin.* The Beta Antitoxin preparation which has been standardized as to antitoxin unitage on the basis of the International Clostridium perfringens Beta Antitoxin Standard and which is either supplied by or acceptable to Veterinary Services. The antitoxin unit value shall be stated on the label.

(v) *Standard toxin.* The Beta toxin preparation which is supplied by or is acceptable to Veterinary Services.

(vi) *Diluent.* The solution used to make proper dilutions prescribed in this test. Such solution shall be made by dissolving 1 gram of peptone and 0.25 gram of sodium chloride in each 100 ml of distilled water; adjusting the pH to 7.2; autoclaving at 250° F for 25 minutes; and storing at 4° C until used.

(2) The antitoxin content of the test sample shall be determined as follows:

(i) Make a dilution of Standard Antitoxin to contain 10 International Units of antitoxin per ml.

(ii) Make one dilution of Standard Toxin to contain 10 L₅₀ doses per ml and make a second dilution of Standard Toxin to contain 10 L₁₀₀ doses per ml.

(iii) Dilute 1 ml of the test sample with 49 ml of diluent and combine with 1 ml of the Standard Toxin diluted to contain 10 L₅₀ doses.

(iv) Combine 10 International Units of Standard Antitoxin with 10 L₅₀ doses of diluted Standard Toxin and combine 10 International Units of Standard Antitoxin with 10 L₁₀₀ doses of diluted Standard Toxin.

(v) Neutralize all toxin-antitoxin mixtures at room temperature for 1 hour

and hold in ice water until injections of mice can be made.

(vi) Five Swiss white mice, each weighing 16-20 grams, shall be used for each toxin-antitoxin mixture. A dose of 0.2 ml shall be injected intravenously into each mouse. Conclude the test 24 hours post-injection and record all deaths.

(3) *Test Interpretation.* (i) If any mice inoculated with the mixture of 10 International Units of Standard Antitoxin and 10 L₅₀ doses of Standard Toxin die, the results of the test are inconclusive and shall be repeated; *Provided*, That, if the test is not repeated, the serial shall be declared unsatisfactory.

(ii) If less than 80 percent of the mice inoculated with the mixture of 10 International Units of Standard Antitoxin and 100 L₁₀₀ doses of Standard Toxin die, the results of the test are inconclusive and shall be repeated; *Provided*, That, if the test is not repeated, the serial shall be declared unsatisfactory.

(iii) If any mice inoculated with the mixture of Clostridium Perfringens Type C Antitoxin diluted 1:50 and 10 L₅₀ doses of Standard Toxin die, the antitoxin is considered to contain less than 500 International Unit per ml and the serial is unsatisfactory.

§ 113.80 Clostridium Perfringens Type D Antitoxin.

Clostridium Perfringens Type D Antitoxin shall be prepared from the blood of horses hyperimmunized with Clostridium Perfringens Type D toxin. Each serial shall be tested for purity, safety, and potency as provided in this section. A serial found unsatisfactory by any prescribed test shall not be released.

(a) *Purity test.* Final container samples of completed product from each serial and each subserial shall be tested for viable bacteria and fungi as provided in § 113.26.

(b) *Safety test.* Bulk or final container samples of completed product from each serial shall be tested for safety as provided in § 113.39.

(c) *Potency test.* Bulk or final container samples of completed product from each serial shall be tested using the toxin-neutralization test for Epsilon Antitoxin provided in this paragraph.

(1) When used in this test, the following words and terms shall mean:

(i) *International antitoxin unit.* (I.U.) That quantity of Epsilon Antitoxin which reacts with L₅₀ and L₁₀₀ doses of Standard Toxin according to their definitions.

(ii) *L₅₀ dose.* The largest quantity of toxin which can be mixed with one-tenth unit of Standard Antitoxin and not cause sickness or death in injected mice.

(iii) *L₁₀₀ dose.* The smallest quantity of toxin which can be mixed with one-tenth unit of Standard Antitoxin and cause death in at least 80 percent of injected mice.

(iv) *Standard antitoxin.* The Epsilon Antitoxin preparation which has been standardized as to antitoxin unitage on the basis of the International Clostridium perfringens Epsilon Antitoxin Standard and which is either supplied by or

acceptable to Veterinary Services. The antitoxin unit value shall be stated on the label.

(v) *Standard toxin*. The Epsilon toxin preparation which is supplied by or is acceptable to Veterinary Services.

(vi) *Diluent*. The solution used to make proper dilutions prescribed in this test. Such solution shall be made by dissolving 1 gram of peptone and 0.25 gram of sodium chloride in each 100 ml of distilled water; adjusting the pH to 7.2; autoclaving at 250° F for 25 minutes; and storing at 4° C until used.

(2) The antitoxin content of the test sample shall be determined as follows:

(i) Make a dilution of Standard Antitoxin to contain 1 International Unit of antitoxin per ml.

(ii) Make one dilution of Standard Toxin to contain 10 L₅ doses per ml and make a second dilution of Standard Toxin to contain 10 L₅ doses per ml.

(iii) Dilute 1 ml of the test sample with 33 ml of diluent and combine with 1 ml of the Standard Toxin diluted to contain 10 L₅ doses.

(iv) Combine 1 International Unit of Standard Antitoxin with 10 L₅ doses of Standard Toxin and combine 1 International Unit of Standard Antitoxin with 10 L₅ doses of Standard Toxin.

(v) Neutralize all toxin-antitoxin mixtures at room temperature for 1 hour, and hold in ice water until injections of mice can be made.

(vi) Five Swiss white mice, each weighing 16-20 grams, shall be used for each toxin-antitoxin mixture. A dose of 0.2 ml shall be injected intravenously into each mouse. Conclude the test 24 hours post-injection and record all deaths.

(3) *Test Interpretation*. (i) If any mice inoculated with the mixture of 1 International Unit of Standard Antitoxin and 10 L₅ doses of Standard Toxin die, the results of the test are inconclusive and shall be repeated; *Provided, That, if the test is not repeated, the serial shall be declared unsatisfactory.*

(ii) If less than 80 percent of the mice inoculated with mixture of 1 International Unit of Standard Antitoxin and 10 L₅ doses of Standard Toxin die, the results of the test are inconclusive and shall be repeated; *Provided, That, if the test is not repeated, the serial shall be declared unsatisfactory.*

(iii) If any mice inoculated with the mixture of Clostridium Perfringens Type D Antitoxin diluted 1:34 and 10 L₅ doses of Standard Toxin die, the antitoxin is considered to contain less than 34 International Unit per ml and the serial is unsatisfactory.

§ 113.81-§ 113.84 [Reserved]

INACTIVATED BACTERIAL PRODUCTS

§ 113.85 Bacterins, toxoids, and bacterin-toxoids.

Basic requirements for bacterins, toxoids, and bacterin-toxoids are provided in this section.

(a) A *bacterin* shall be a suspension of organisms, or their particulate com-

ponents with or without their unevaluated growth products, which have been inactivated by chemical or physical means; and the basic immunizing antigens are believed to be primarily cellular. When a bacterin is combined with one or more inactivated bacterial products, the combination shall also be considered as a bacterin.

(b) A *toxoid* shall be a sterile, aqueous filtrate resulting from growth of bacterial organisms in a suitable culture medium and which has subsequently been rendered nontoxic without appreciable loss of antigenic value as measured by suitable animal tests. Toxoid shall not be applied to a product which has not had the bacterial cells removed during process. When a toxoid is combined with one or more toxoids, the combination shall be considered as a toxoid.

(c) A *bacterin-toxoid* shall be the toxic growth products of bacterial organisms propagated in suitable medium, containing all or part of the cells or their particulate components from the original culture or in a combination of such fractions which have been rendered nontoxic and inactivated without appreciable loss of antigenic value as measured by suitable animal tests. Bacterin-toxoid shall contain cellular antigens and shall stimulate development of antitoxin. When a bacterin-toxoid is combined with one or more bacterin-toxoids or toxoids, the combination shall be considered as a bacterin-toxoid.

(d) Bacterins used as diluents. Bacterins authorized for use as diluents in combination packages include *Leptospira Pomona Bacterin*, *Leptospira Canicola Bacterin*, *Leptospira Icterohaemorrhagiae Bacterin*, and *Pasteurella Bacterin*. All serials and subserials of these bacterins shall be subject to the special requirements in this paragraph.

(1) Only serials tested for viricidal activity in accordance with the test provided in § 113.35 as set out in the notice of proposed rulemaking published in the *FEDERAL REGISTER*, Volume 38, No. 112, on June 12, 1973, page 15453, and found satisfactory by such test shall be packaged as diluent for desiccated fractions in combination packages.

(2) The carton labels and enclosures used with serials not found satisfactory by the viricidal activity test shall contain the statement: "CAUTION: DO NOT USE AS DILUENT FOR LIVE VIRUS VACCINES."

(e) If formaldehyde is used as the inactivating agent and the serial has not been found satisfactory by the viricidal activity test, bulk or final container samples of completed product from each serial shall be tested for residual free formaldehyde content using the Basic Fuchsin Test.

(1) The residual free formaldehyde content of biological products containing Clostridial antigens shall not exceed the equivalent of 0.5 percent formaldehyde solution (1,850 parts per million).

(2) The residual free formaldehyde content of bacterins, bacterin-toxoids, and toxoids other than those containing

Clostridial antigens, shall not exceed the equivalent of 0.2 percent formaldehyde solution (740 parts per million).

§ 113.86 *Leptospira pomona bacterin*.

Leptospira Pomona Bacterin shall be produced from a culture of *Leptospira pomona* which has been rendered sterile and nontoxic. Each serial of biological product containing *Leptospira pomona* fraction shall be tested for purity, safety, potency, viricidal activity and/or residual formaldehyde. A serial found unsatisfactory by any prescribed test shall not be released.

(a) *Purity test*. Final container samples of completed product from each serial and each subserial shall be tested for viable bacteria and fungi as provided in § 113.26.

(b) *Safety test*. Bulk or final container samples of completed product from each serial shall be tested for safety as provided in § 113.38.

(c) *Potency test*. Bulk or final container samples of completed product shall be diluted with physiological saline so that each 0.25 ml contains not more than 1/800th of the dose recommended on the label for cattle and shall be tested for potency, using the two-stage test provided in this paragraph.

(1) *Vaccinates*. Inject each of 10 young adult hamsters, each weighing 50-90 grams, with 0.25 ml of the diluted bacterin either subcutaneously or intramuscularly in accordance with the label recommendations for use in cattle.

(2) *Controls*. Retain 10 additional hamsters from the same group as unvaccinated controls.

(3) *Challenge*. From 14-18 days post-vaccination, challenge each vaccinate and each control intraperitoneally with a suspension of virulent *Leptospira pomona* organisms, using a dose of 10-1,000 hamster LD₅₀.

(4) *Post-challenge period*. Observe the vaccinates and controls for 14 days post-challenge and record all deaths. If eight or more controls die, the test is valid and the results shall be evaluated according to the following table:

Stage	Number of vaccinates	Cumulative number of vaccinates	Cumulative total dead hamsters for satisfactory serial	Cumulative total dead hamsters for unsatisfactory serial
1....	10	10	2 or less.....	5 or more.
2....	10	20	5 or less.....	6 or more.

(5) If three or four vaccinates die in the first stage, the second stage shall be conducted in a manner identical to the first stage.

(6) If the second stage is used, each serial shall be evaluated according to the second part of the table. On the basis of cumulative results, each serial shall either pass or fail.

§ 113.87 *Leptospira Icterohaemorrhagiae Bacterin*.

Leptospira Icterohaemorrhagiae Bacterin shall be produced from a culture of *Leptospira icterohaemorrhagiae* which

has been rendered sterile and nontoxic. Each serial of biological product containing *Leptospira icterohaemorrhagiae* fraction shall be tested for purity, safety, potency, viricidal activity and/or residual formaldehyde. A serial found unsatisfactory by any prescribed test shall not be released.

(a) **Purity test.** Final container samples of completed product from each serial and each subserial shall be tested for viable bacteria and fungi as provided in § 113.26.

(b) **Safety test.** Bulk or final container samples of completed product from each serial shall be tested for safety as provided in § 113.38.

(c) **Potency test.** Bulk or final container samples of completed product shall be diluted with physiological saline so that each 0.25 ml contains not more than 1/80th of the dose recommended on the label for dogs and shall be tested for potency, using the two-stage test provided in this paragraph.

(1) **Vaccinates.** Inject each of 10 young adult hamsters, each weighing 50-90 grams, with 0.25 ml of the diluted bacterin either subcutaneously or intramuscularly in accordance with the label recommendations for use in dogs.

(2) **Controls.** Retain 10 additional hamsters from the same group as unvaccinated controls.

(3) **Challenge.** From 14-18 days post-vaccination, challenge each vaccinate and each control intraperitoneally with a suspension of virulent *Leptospira icterohaemorrhagiae* organisms using a dose of 10-1,000 hamster LD₅₀.

(4) **Post-challenge period.** Observe the vaccinates and controls for 14 days post-challenge and record all deaths. If eight or more controls die, the test is valid and the results shall be evaluated according to the following table:

Stage	Number of vaccinates	Cumulative number of vaccinates	Cumulative total dead hamsters for satisfactory serial	Cumulative total dead hamsters for unsatisfactory serial
1.....	10	10	2 or less.....	5 or more.
2.....	10	20	5 or less.....	6 or more.

(5) If three or four vaccinates die in the first stage, the second stage shall be used. The second stage shall be conducted in a manner identical to the first stage.

(6) If the second stage is used, each serial shall be evaluated according to the second part of the table. On the basis of cumulative results, each serial shall either pass or fail.

§ 113.88 *Leptospira Canicola* Bacterin.

Leptospira Canicola Bacterin shall be produced from a culture of *Leptospira canicola* which has been rendered sterile and nontoxic. Each serial of biological product containing *Leptospira canicola* fraction shall be tested for purity, safety, potency, viricidal activity, and/or residual formaldehyde. Serials found unsatisfactory by any prescribed test shall not be released.

(a) **Purity test.** Final container samples of completed product from each serial and each subserial shall be tested for viable bacteria and fungi as provided in § 113.26.

(b) **Safety test.** Bulk or final container samples of completed product from each serial shall be tested for safety as provided in § 113.38.

(c) **Potency test.** Bulk or final container samples of completed product shall be diluted with physiological saline so that each 0.25 ml contains not more than 1/80th of the dose recommended on the label for dogs and shall be tested for potency, using the two-stage test provided in this paragraph.

(1) **Vaccinates.** Inject each of 10 young adult hamsters, each weighing 50-90 grams, with 0.25 ml of the diluted bacterin either subcutaneously or intramuscularly in accordance with the label recommendations for use in dogs.

(2) **Controls.** Retain 10 additional hamsters from the same group as unvaccinated controls.

(3) **Challenge.** From 14-18 days post-vaccination, challenge each vaccinate and each control intraperitoneally with a suspension of virulent *Leptospira canicola* organisms using a dose of 10-1,000 hamster LD₅₀.

(4) **Post-challenge period.** Observe the vaccinates and controls for 14 days post-challenge and record all deaths. If eight or more controls die, the test is valid and the results shall be evaluated according to the following table:

Stage	Number of vaccinates	Cumulative number of vaccinates	Cumulative total dead hamsters for satisfactory serial	Cumulative total dead hamsters for unsatisfactory serial
1.....	10	10	2 or less.....	5 or more.
2.....	10	20	5 or less.....	6 or more.

(5) If three or four vaccinates die in the first stage, the second stage shall be used. The second stage shall be conducted in a manner identical to the first stage.

(6) If the second stage is used, each serial shall be evaluated according to the second part of the table. On the basis of cumulative results, each serial shall either pass or fail.

§ 113.89-§ 113.90 [Reserved]

§ 113.91 *Clostridium Chauvoei* Bacterin.

Clostridium Chauvoei Bacterin shall be produced from a culture of *Clostridium chauvoei* which has been rendered sterile and nontoxic. Each serial of biological product containing *Clostridium chauvoei* fraction shall be tested for purity, safety, potency, and formaldehyde content. Serials found unsatisfactory by any prescribed test shall not be released.

(a) **Purity test.** Final container samples of completed product from each serial and each subserial shall be tested for viable bacteria and fungi as provided in § 113.26.

(b) **Safety test.** Bulk or final container samples of completed product from each serial shall be tested for safety as provided in § 113.38.

(c) **Potency test.** Bulk or final container samples of completed product from each serial shall be tested for potency using the two-stage test provided in this paragraph.

(1) In the first stage, each of not less than eight guinea pigs, each weighing 300-500 grams, shall be injected with not more than two guinea pig doses subcutaneously at 7-10 day intervals. Each guinea pig dose shall be one-fifth of the dose recommended on the label for a calf.

(2) *Clostridium chauvoei* challenge material, available upon request from Veterinary Services, shall be used for challenge 7-14 days following the last injection of the product. Each of the eight vaccinates and each of five additional nonvaccinated guinea pigs for controls shall be injected with approximately 100 LD₅₀ of challenge material. The vaccinates and controls shall be observed for 3 days post-challenge and all deaths recorded.

(3) For a valid test, at least 80 percent of the controls shall die within the 3 day post-challenge observation period. If this requirement is met, the results of the potency test shall be evaluated according to the following table:

Stage	Number of vaccinates	Cumulative number of vaccinates	Cumulative total number of deaths for a satisfactory test	Cumulative total number of deaths giving an unsatisfactory test
1.....	8	8	1 or less.....	3 or more.
2.....	8	16	4 or less.....	5 or more.

The second stage shall be required only when exactly two animals die in the first stage. The second stage shall be conducted in a manner identical to the first stage.

§ 113.92 *Clostridium Hemolyticum* Bacterin.

Clostridium Hemolyticum Bacterin shall be produced from a culture of *Clostridium hemolyticum* which has been rendered sterile and nontoxic. Each serial of biological product containing *Clostridium hemolyticum* fraction shall be tested for purity, safety, potency, and formaldehyde content. A serial found unsatisfactory by any prescribed test shall not be released.

(a) **Purity test.** Final container samples of completed product from each serial and each subserial shall be tested for viable bacteria and fungi as provided in § 113.26.

(b) **Safety test.** Bulk or final container samples of completed product from each serial shall be tested for safety as provided in § 113.38.

(c) **Potency test.** Bulk or final container samples of completed product from each serial shall be tested for potency using the two-stage test provided in this paragraph.

(1) In the first stage, each of not less than eight guinea pigs, each weighing 300-500 grams, shall be injected with not more than two guinea pig doses subcutaneously at 7-10 day intervals. Each guinea pig dose shall be one-fifth of

the dose recommended on the label for a calf.

(2) *Clostridium hemolyticum* challenge material, available upon request from Veterinary Services, shall be used for challenge 7-4 days following the last injection of the product. Each of the eight vaccinates and each of five additional nonvaccinated guinea pigs for controls shall be injected with approximately 100 LD₅₀ of challenge material. This dose shall be determined by statistical analysis of results of titrations of the challenge material. The vaccinates and controls shall be observed for 3 days post-challenge and all deaths recorded.

(3) For a valid test, at least 80 percent of the controls shall die within the 3 day post-challenge observation period. If this requirement is met, the results of the potency test shall be evaluated according to the following table:

Stage	Number of vaccinates	Cumulative number of vaccinates	Cumulative total number of deaths for a satisfactory test	Cumulative total number of deaths giving an unsatisfactory test
1.....	8	8	1 or less.....	3 or more.
2.....	8	16	4 or less.....	5 or more.

The second stage shall be required only when exactly two animals die in the first stage. The second stage shall be conducted in a manner identical to the first stage.

§ 113.93 *Clostridium Novyi* Bacterin-Toxoid.

Clostridium Novyi Bacterin-Toxoid shall be produced from a culture of *Clostridium novyi* which has been rendered sterile and nontoxic. Each serial of biological product containing *Clostridium novyi* fraction shall be tested for purity, safety, potency, and formaldehyde content. A serial found unsatisfactory by any prescribed test shall not be released.

(a) *Purity test.* Final container samples of completed product from each serial and each subserial shall be tested for viable bacteria and fungi as provided in § 113.26.

(b) *Safety test.* Bulk or final container samples of completed product from each serial shall be tested for safety as provided in § 113.38.

(c) *Potency test.* Bulk or final container samples of completed product from each serial shall be tested for potency using the following two-stage test provided in this paragraph.

(1) In the first stage, each of not less than eight guinea pigs, each weighing 300-500 grams, shall be injected with not more than two guinea pig doses subcutaneously at 7-10 day intervals. Each guinea pig dose shall be one-fifth of the dose recommended on the label for a calf.

(2) *Clostridium novyi* challenge material, available upon request from Veterinary Services, shall be used for challenge 7-14 days following the last injection of the product. Each of the eight vaccinates and each of five additional nonvaccinated guinea pigs for controls

shall be injected with approximately 100 LD₅₀ of challenge material. This dose shall be determined by statistical analysis of results of titrations of the challenge material. The vaccinates and controls shall be observed for 3 days post-challenge and all deaths recorded.

(3) For a valid test, at least 80 percent of the controls shall die within the 3 day post-challenge observation period. If this requirement is met, the results of the potency test shall be evaluated according to the table:

Stage	Number of vaccinates	Cumulative number of animals	Cumulative total number of deaths for a satisfactory test	Cumulative total number of deaths giving an unsatisfactory test
1.....	8	8	1 or less.....	3 or more.
2.....	8	16	4 or less.....	5 or more.

The second stage shall be required only when exactly two animals die in the first stage. The second stage shall be conducted in a manner identical to the first stage.

§ 113.94 *Clostridium Sordellii* Bacterin-Toxoid.

Clostridium Sordellii Bacterin-Toxoid shall be produced from a culture of *Clostridium sordellii* which has been rendered sterile and nontoxic. Each serial of biological product containing *Clostridium sordellii* fraction shall be tested for purity, safety, potency, and formaldehyde content. A serial found unsatisfactory by any prescribed test shall not be released.

(a) *Purity test.* Final container samples of completed product from each serial and each subserial shall be tested for viable bacteria and fungi as provided in § 113.26.

(b) *Safety test.* Bulk or final container samples of completed product from each serial shall be tested for safety as provided in § 113.38.

(c) *Potency test.* Bulk or final container samples of completed product from each serial shall be tested for potency using the following two-stage test provided in this paragraph.

(1) In the first stage, each of not less than eight guinea pigs, each weighing 300-500 grams, shall be injected with not more than two guinea pig doses subcutaneously at 7-10 day intervals. Each guinea pig dose shall be one-fifth of the dose recommended on the label for cattle.

(2) *Clostridium sordellii* challenge material, available upon request from Veterinary Services, shall be used for challenge 20-21 days after the first injection of the product. Each of the eight vaccinates and each of five additional nonvaccinated guinea pigs for controls shall be injected with approximately 100 LD₅₀ of challenge material. This dose shall be determined by statistical analysis of results of titrations of the challenge material. The vaccinates and controls shall be observed for 3 days post-challenge and all deaths recorded.

(3) For a valid test, at least 80 percent of the controls shall die within the 3 day post-challenge observation period. If this requirement is met, the results of the potency test shall be evaluated according to the following table:

Stage	Number of vaccinates	Cumulative number of vaccinates	Cumulative total number of deaths for a satisfactory test	Cumulative total number of deaths giving an unsatisfactory test
1.....	8	8	1 or less.....	3 or more.
2.....	8	16	4 or less.....	5 or more.

The second stage shall be required only when exactly two animals die in the first stage. The second stage shall be conducted in a manner identical to the first stage.

§ 113.95 *Clostridium Botulinum* Type C Bacterin-Toxoid.

Clostridium Botulinum Type C Bacterin-Toxoid shall be produced from a culture of *Clostridium botulinum* Type C which has been rendered sterile and nontoxic. Each serial of biological product containing *Clostridium botulinum* Type C fraction shall be tested for purity, safety, potency, and formaldehyde content. A serial found unsatisfactory by any prescribed test shall not be released.

(a) *Purity test.* Final container samples of completed product from each serial and each subserial shall be tested for viable bacteria and fungi as provided in § 113.26.

(b) *Safety test.* Bulk or final container samples of completed product from each serial shall be tested for safety as provided in § 113.39.

(c) *Potency test.* Bulk or final container samples of completed product from each serial shall be tested for potency, using susceptible mink as test animals. At least five vaccinates and three unvaccinated controls of approximately the same age and source shall be used.

(1) Each of the vaccinates shall be injected subcutaneously with the dose recommended on the label for mink. Twenty-one to twenty-eight days post-injection, the vaccinates and the controls shall be challenged orally with botulinum Type C toxin which has been titrated in mice to provide for a 10⁻⁶ mouse MLD₅₀ dose. The titration technique shall include inoculation of the mice intraperitoneally.

(2) The vaccinates and controls shall be observed for 7 days post-challenge and signs of botulism and deaths noted. For a valid test, the controls shall die of botulism. If the test is valid and 80 percent of the vaccinates do not remain free of botulism, the serial is unsatisfactory.

§ 113.96 *Clostridium Perfringens* Type C Toxoid and Bacterin-Toxoid.

Clostridium Perfringens Type C Toxoid and *Clostridium Perfringens* Type C Bacterin-Toxoid shall be produced from a culture of *Clostridium Perfringens* Type C which have been rendered sterile

and nontoxic. *Clostridium Perfringens* Type C Toxoid shall be rendered free of bacteria. Each serial shall be tested for purity, safety, potency, and formaldehyde content. Any serial found unsatisfactory by a prescribed test shall not be released.

(a) *Purity test.* Final container samples of completed product from each serial and each subserial shall be tested for viable bacteria and fungi as provided in § 113.26.

(b) *Safety test.* Bulk or final container samples of completed product from each serial shall be tested for safety as provided in § 113.39.

(c) *Potency test.* Bulk or final container samples of completed product from each serial shall be tested for potency using the Beta toxin-neutralization test provided in this paragraph.

(1) When used in this test, the following words and terms shall mean:

(i) *International antitoxin unit. (I.U.)* That quantity of Beta Antitoxin which reacts with L_0 and L_1 doses of Standard Toxin according to their definitions.

(ii) *L_0 dose.* The largest quantity of toxin which can be mixed with one unit of Standard Antitoxin and not cause sickness or death in injected mice.

(iii) *L_1 dose.* The smallest quantity of toxin which can be mixed with one unit of Standard Antitoxin and cause death in at least 80 percent of injected mice.

(iv) *Standard antitoxin.* The Beta Antitoxin preparation which has been standardized as to antitoxin unitage on the basis of the International *Clostridium perfringens* Beta Antitoxin Standard and which is either supplied by or acceptable to Veterinary Services. The antitoxin unit value shall be stated on the label.

(v) *Standard toxin.* The Beta toxin preparation which is supplied by or is acceptable to Veterinary Services.

(vi) *Diluent.* The solution used to make proper dilutions prescribed in this test. Such solutions shall be made by dissolving 1 gram of peptone and 0.25 grams of sodium chloride in each 100 ml of distilled water; adjusting the pH to 7.2; autoclaving at 250° F for 25 minutes; and storing at 4° C until used.

(2) Each of at least eight rabbits, each weighing 4-8 pounds, shall be injected subcutaneously with not more than half of the recommended cattle dose. The dose for a combination product having both Type C and Type D fractions shall be half of the recommended cattle dose; *Provided*, That if the product is recommended only for sheep, half of the recommended sheep dose shall be used. A second dose shall be given not less than 20 days nor more than 23 days after the first dose.

(3) Fourteen to seventeen days after the second dose, all surviving rabbits shall be bled and the serum tested for antitoxin content.

(1) When eight or more rabbits are bled, equal quantities of serum from each shall be combined and tested as a single pooled serum.

(ii) When only five to seven rabbits are bled, the serum shall be individually tested.

(iii) If less than five rabbits are bled, the test is invalid and shall be repeated; *Provided*, That, if the test is not repeated, the serial shall be declared unsatisfactory.

(4) The antitoxin content of the rabbit serums shall be determined as follows:

(i) Make a dilution of Standard Antitoxin to contain 10 International Units of antitoxin per ml.

(ii) Make one dilution of Standard Toxin to contain 10 L_0 doses per ml and make a second dilution of Standard Toxin to contain 10 L_1 doses per ml.

(iii) Combine 10 International Units of Standard Antitoxin with 10 L_0 doses of diluted Standard Toxin and combine 10 International Units of Standard Antitoxin with 10 L_1 doses of diluted Standard Toxin.

(iv) Combine 1 ml of undiluted serum with 10 L_0 doses of diluted Standard Toxin.

(v) Neutralize all toxin-antitoxin mixtures at room temperature for 1 hour and hold in ice water until injections of mice can be made.

(vi) Five Swiss white mice, each weighing 16-20 grams, shall be used for each toxin-antitoxin mixture. A dose of 0.2 ml shall be injected intravenously into each mouse. Conclude the test 24 hours post-injection and record all deaths.

(5) Test Interpretation shall be as follows:

(i) If any mice inoculated with the mixture of 10 International Units of Standard Antitoxin and 10 L_0 doses of Standard Toxin die, the results of the test are inconclusive and shall be repeated; *Provided*, That, if the test is not repeated, the serial shall be declared unsatisfactory.

(ii) If less than 80 percent of the mice inoculated with mixture of 10 International Units of Standard Antitoxin and 10 L_1 doses of Standard Toxin die, the results of the test are inconclusive and shall be repeated; *Provided*, That, if the test is not repeated, the serial shall be declared unsatisfactory.

(iii) If any mice inoculated with the mixture of serum with 10 L_0 doses of Standard Toxin die, the serum is considered to contain less than 10 International Units per ml.

(iv) If less than 80 percent of individual serums from at least five to seven rabbits or if the single pooled serum from eight or more rabbits contain(s) less than 10 International Units per ml, the serial is unsatisfactory.

§ 113.97 *Clostridium Perfringens* Type D Toxoid and Bacterin-Toxoid.

Clostridium Perfringens Type D Toxoid and *Clostridium Perfringens* Type D Bacterin-Toxoid shall be produced from a culture of *Clostridium Perfringens* Type D which have been rendered sterile and nontoxic. *Clostridium Perfringens*

Type D Toxoid shall be rendered free of bacteria. Each serial shall be tested for purity, safety, potency, and formaldehyde content. Any serial found unsatisfactory by a prescribed test shall not be released.

(a) *Purity test.* Final container samples of completed product from each serial and each subserial shall be tested for viable bacteria and fungi as provided in § 113.26.

(b) *Safety test.* Bulk or final container samples of completed product from each serial shall be tested for safety as provided in § 113.39.

(c) *Potency test.* Bulk or final container samples of completed product from each serial shall be tested for potency using the Epsilon toxin-neutralization test provided in this paragraph.

(1) When used in this test, the following words and terms shall mean:

(i) *International antitoxin unit. (I.U.)* That quantity of Epsilon Antitoxin which reacts with L_0 and L_1 doses of Standard Toxin according to their definitions.

(ii) *L_0 dose.* The largest quantity of toxin which can be mixed with one-tenth unit of Standard Antitoxin and not cause sickness or death in injected mice.

(iii) *L_1 dose.* The smallest quantity of toxin which can be mixed with one-tenth unit of Standard Antitoxin and cause death in at least 80 percent of injected mice.

(iv) *Standard antitoxin.* The Epsilon Antitoxin preparation which has been standardized as to antitoxin unitage on the basis of the International *Clostridium perfringens* Epsilon Antitoxin Standard and which is either supplied by or acceptable to Veterinary Services. The antitoxin unit value shall be stated on the label.

(v) *Standard toxin.* The Epsilon toxin preparation which is supplied by or is acceptable to Veterinary Services.

(vi) *Diluent.* The solution used to make proper dilutions prescribed in this test. Such solutions shall be made by dissolving 1 gram of peptone at 0.25 grams of sodium chloride in each 100 ml of distilled water; adjusting the pH to 7.2; autoclaving at 250° F for 25 minutes; and storing at 4° C until used.

(2) Each of at least eight rabbits, each weighing 4-8 pounds, shall be injected subcutaneously with not more than half of the recommended sheep dose. The dose for a combination product having both Type C and Type D fractions shall be half of the recommended cattle dose; *Provided*, That, if the product is recommended only for sheep, half of the recommended sheep dose shall be used. A second dose shall be given not less than 20 days nor more than 23 days after the first dose.

(3) Fourteen to seventeen days after the second dose, all surviving rabbits shall be bled, and the serum tested for antitoxin content.

(1) When eight or more rabbits are bled, equal quantities of serum from each shall be combined and tested as a single pooled serum.

(ii) When only five to seven rabbits are bled, the serums shall be individually tested.

(iii) If less than five rabbits are bled, the test is invalid and shall be repeated; *Provided*, That, if the test is not repeated, the serial shall be declared unsatisfactory.

(4) The antitoxin content of the rabbit serums shall be determined as follows:

(i) Make a dilution of Standard Antitoxin to contain 1 International Unit of antitoxin per ml.

(ii) Make one dilution of Standard Toxin to contain 10 L. doses per ml and make a second dilution of Standard Toxin to contain 10 L. doses per ml.

(iii) Combine 1 International Unit of Standard Antitoxin with 10 L. doses of diluted Standard Toxin and Combine 1 International Unit of Standard Antitoxin with 10 L. doses of diluted Standard Toxin.

(iv) Dilute 1 ml of serum with 1 ml of dilute (1:2) and combine with 10 L. doses of diluted Standard Toxin.

(v) Neutralize all toxin-antitoxin mixtures at room temperature for 1 hour and hold in ice water until injections of mice can be made.

(vi) Five Swiss white mice, each weighing 16-20 grams, shall be used for each toxin-antitoxin mixture. A dose of 0.2 ml shall be injected intravenously into each mouse. Conclude the test 24 hours post-injection and record all deaths.

(5) Test Interpretation shall be as follows:

(i) If any mice inoculated with the mixture of 1 International Unit of Standard Antitoxin and 10 L. doses of Standard Toxin die, the results of the test are inconclusive and shall be repeated; *Provided*, That, if the test is not repeated, the serial shall be declared unsatisfactory.

(ii) If less than 80 percent of the mice inoculated with mixture of 1 International Unit of Standard Antitoxin and 10 L. doses of Standard Toxin die, the results of the test are inconclusive and shall be repeated; *Provided*, That, if the test is not repeated, the serial shall be declared unsatisfactory.

(iii) If any mice inoculated with the mixture of serum with 10 L. doses of Standard Toxin die, the serum is considered to contain less than 2 International Units per ml.

(iv) If less than 80 percent of individual serums from at least five to seven rabbits or if the single pooled serum from eight or more rabbits contain(s) less than 2 International Units per ml, the serial is unsatisfactory.

§ 113.98 [Reserved]

§ 113.99 Tetanus Toxoid.

Tetanus Toxoid shall be produced from a culture of *Clostridium tetani* which has been rendered free of bacteria and subsequently detoxified. The toxoid may be either adsorbed, precipitated, or purified and concentrated. Each serial and subserial of biological product contain-

ing tetanus toxoid fraction shall be tested for purity, safety, potency, and formaldehyde content. A serial or subserial found unsatisfactory by any prescribed test shall not be released.

(a) *Purity test*. Final container samples of completed product from each serial and subserial shall be tested for viable bacteria and fungi as provided in § 113.26.

(b) *Safety test*. Bulk or final container samples of completed product from each serial shall be tested for safety as provided in § 113.38. Intraperitoneal injection shall be made.

(c) *Potency test*. Bulk or final container samples of completed product from each serial shall be tested for potency. Each of at least 10 guinea pigs, each weighing 500 grams ± 10 percent, shall be injected subcutaneously with 0.4 of the dose recommended on the label for a horse.

(1) Six weeks after injection, all surviving guinea pigs shall be bled, and equal portions of serum from each shall be pooled. Serum from not less than eight animals shall be used.

(2) The pooled serum shall contain at least two antitoxin units per ml as determined by titrating it in the manner prescribed for tetanus antitoxin in § 113.76. A 1:20 dilution of the pooled serum shall be made so that the final dilution contains 0.1 antitoxin unit per ml. The test dose of standard toxin shall be mixed in proper proportion with the diluted pooled serum, incubated at room temperature for 1 hour and inoculated subcutaneously into two guinea pigs.

(3) The test dose of the standard toxin shall be verified against 0.1 of a unit of standard antitoxin in two guinea pigs which serve as the control animals.

(4) If the control animals do not die of tetanus within 60-120 hours, the test is not valid and must be repeated. In a valid test, if the vaccinated animals do not survive as long as the control animals, the serial is unsatisfactory.

§ 113.100 *Staphylococcus Aureus Toxoid*.

Staphylococcus Aureus Toxoid shall be prepared from toxoided broth cultures of selected toxogenic strains of *Staphylococcus aureus*. Each serial of biological product containing *Staphylococcus aureus* fraction shall be tested for purity, safety, potency, and formaldehyde content. A serial found unsatisfactory by any prescribed test shall not be released.

(a) *Purity test*. Final container samples of completed product from each serial shall be tested for viable bacteria and fungi as provided in § 113.26.

(b) *Safety test*. Bulk or final container samples of completed product shall be tested for safety as provided in § 113.39. Also, the rabbits used in the potency test provided in paragraph (c) of this section shall constitute an additional safety test. If unfavorable reactions attributable to the product occur in any of the rabbits during the observation period, the serial is unsatisfactory.

(c) *Potency test*. Rabbits, each weighing 2000-3000 grams, shall be used as test animals. Either a five rabbit individual serum test or an eight rabbit pooled serum test shall be conducted. At the start of the test, individual serums from the five rabbits or pooled serums from the eight rabbits shall contain less than 0.2 alpha antitoxin units per ml.

(1) Each rabbit shall be given a series of not more than three intramuscular injections at 7 day intervals (1.0 ml, 2.0 ml, 3.0 ml) and observed from 7-14 days following the third injection. At the end of the observation period, a blood sample shall be taken from each rabbit.

(2) The sample of serum from each rabbit, if the five rabbit individual test is conducted or the pooled sample of serum from all the rabbits if the eight rabbit pooled serum test is conducted, shall be tested to determine the staphylococcus alpha antitoxin units per ml as provided in paragraph (c) (3), (4), (5), (6), (7), and (8) of this section.

(3) Inactivate rabbit serum 56° C for 30 minutes.

(4) Make serial twofold dilutions of the serum samples and conduct the test, using 1 ml of the serial dilutions. Appropriate controls should be included for accurate interpretations.

(5) Add 1 ml of the standardized toxin containing the established "Lh" dose. The "Lh" dose is the amount of toxin which when mixed with one unit of standard antitoxin produces a 50 percent hemolysis of rabbit red blood cells.

(6) Incubate toxin-antitoxin mixture at room temperature for 30 minutes and add 1 ml of a 1.5 percent suspension of washed freshly drawn rabbit red blood cells suspended in normal saline to each tube. Mix and incubate the combined product in a 37° C water bath for 1 hour. Refrigerate at 5° C overnight.

(7) Read the hemolysis produced and establish the 50 percent end point. The 50 percent end point of hemolysis should be established by determining the size of the button produced by the unlysed red blood cells.

(8) Determine the units of antitoxin per 1 ml of serum.

(9) If the individual samples from four of the five rabbits in the individual serum test or the pooled samples from the eight rabbits in the pooled serum test do not contain three alpha antitoxin units per ml, the serial is unsatisfactory.

§ 113.101 *General Requirements for Pasteurella Avicida Bacterin*.

Pasteurella Avicida Bacterin shall be prepared from cultures of *Pasteurella multocida*, Avian Strains, Type 1 and Type 3 or both (Little and Lyons Classification) which have been rendered sterile and nontoxic; *Provided*, That, avian strains of types other than Types 1 and 3 may be added if written into the approved Outline of Production for the product.

(a) Each serial containing Type 1 strains shall be tested as provided in § 113.102 and each serial containing Type

3 strains shall be tested as provided in § 113.103. Serials containing Types 1 and 3 shall be tested as provided in § 113.102 and § 113.103.

(b) If avian strains of types other than Types 1 and 3 have been added, each serial shall also be tested for such strains as provided in the approved Outline of Production.

§ 113.102 *Pasteurella Avicida* Bacterin, Type 1.

Each serial of *Pasteurella Avicida* Bacterin containing Type 1 strains shall be tested as prescribed in this section. A serial found unsatisfactory by any prescribed test shall not be released.

(a) *Purity test.* Final container samples of completed product shall be tested for viable bacteria and fungi as provided in § 113.26.

(b) *Safety test.* Observation of the vaccinated chickens in the potency test provided in paragraph (c) of this section shall constitute a safety test. If unfavorable reactions attributable to the product occur in the chickens during the prechallenge period, the serial is unsatisfactory. If unfavorable reactions occur which are not attributable to the product, the test shall be declared inconclusive and repeated; *Provided*, That if the test is not repeated, the serial shall be declared unsatisfactory.

(c) *Potency test.* Bulk or final container samples of completed product shall be tested for potency of the Type 1 strain, using the two-stage test provided in this paragraph. Chickens, at least 12 weeks of age, obtained from the same source and hatch, shall be properly identified and used as provided in this paragraph.

(1) *Vaccinates.* Each of not more than 21 chickens shall be injected with the dose and by the route recommended on the label. A second dose shall be injected after 3 weeks and the chickens observed for an additional 2 week prechallenge period.

(2) *Positive controls.* Each of not more than 21 chickens shall be injected with two doses of a reference bacterin available from Veterinary Services upon request. The dose, route of administration, and time of injection shall be the same as the vaccinates.

(3) *Unvaccinated controls.* Each of not more than 21 chickens shall be held as controls.

(4) *Challenge.* Fourteen days after the second injection, each of 20 vaccinates, each of 20 positive controls, and each of 20 unvaccinated controls shall be challenged intramuscularly with a minimum of 250 colony-forming units of virulent *Pasteurella multocida*, Strain X-73, Type 1 (Little and Lyons Classification) and observed daily for a 14 day post-challenge period. Only dead birds shall be considered in evaluating the product.

(5) If nine or more positive controls die, the test may be declared inconclusive and repeated.

(6) If 16 or more unvaccinated controls die, the test is valid and stage one potency test results shall be evaluated

according to stage one of the following table:

Stage	Number of vaccinates	Cumulative number of vaccinates	Cumulative total number of dead vaccinates for satisfactory serial	Cumulative total number of dead vaccinates for unsatisfactory serial
1.....	20	20	6 or less.....	9 or more.
2.....	20	40	15 or less.....	16 or more.

(7) The serial shall pass or fail based on the stage one results of the potency test; *Provided*, That, if seven or eight vaccinates die in the first stage, the second stage shall be required.

(8) The second stage shall be conducted in a manner identical to the first stage. The serial shall be evaluated according to stage two of the table. On the basis of accumulated results, a serial shall either pass or fail the second stage.

§ 113.103 *Pasteurella Avicida* Bacterin, Type 3.

Each serial of *Pasteurella Avicida* Bacterin containing Type 3 strains shall be tested as prescribed in this section. A serial found unsatisfactory by any prescribed test shall not be released.

(a) *Purity test.* Final container samples of completed product shall be tested for viable bacteria and fungi as provided in § 113.26.

(b) *Safety test.* Observation of the vaccinated turkeys in the potency test provided in paragraph (c) of this section shall constitute a safety test. If unfavorable reactions attributable to the product occur in the turkeys during the prechallenge period, the serial is unsatisfactory. If unfavorable reactions occur which are not attributable to the product, the test shall be declared inconclusive and repeated; *Provided*, That if the test is not repeated, the serial shall be declared unsatisfactory.

(c) *Potency test.* Bulk or final container samples of completed product shall be tested for potency of the Type 3 strain, using the two-stage test provided in this paragraph. Turkeys, at least 12 weeks of age, obtained from the same source and hatch, shall be properly identified and used as provided in this paragraph.

(1) *Vaccinates.* Each of not more than 21 turkeys shall be injected with the dose and by the route recommended on the label. A second dose shall be injected after 3 weeks and the turkeys observed for an additional 2 week prechallenge period.

(2) *Positive controls.* Each of not more than 21 turkeys shall be injected with two doses of a reference bacterin available from Veterinary Services upon request. The dose, route of administration, and time of injection shall be the same as the vaccinates.

(3) *Unvaccinated controls.* Each of not more than 21 turkeys shall be held as controls.

(4) *Challenge.* Fourteen days after the second injection, each of 20 vaccinates, each of 20 positive controls, and each

of 20 unvaccinated controls shall be challenged intramuscularly with a minimum of 150 colony-forming units of virulent *Pasteurella multocida*, Strain P-1059, Type 3 (Little and Lyons Classification) and observed daily for a 14 day post-challenge period. Only dead birds shall be considered in evaluating the product.

(5) If nine or more positive controls die, the test may be declared inconclusive and repeated.

(6) If 16 or more unvaccinated controls die, the test is valid and stage one potency test results shall be evaluated according to stage one of the following table:

Stage	Number of vaccinates	Cumulative number of vaccinates	Cumulative total number of dead vaccinates for satisfactory serial	Cumulative total number of dead vaccinates for unsatisfactory serial
1.....	20	20	6 or less.....	9 or more.
2.....	20	40	15 or less.....	16 or more.

(7) The serial shall pass or fail based on the stage one results of the potency test; *Provided*, That, if seven or eight vaccinates die in the first stage, the second stage shall be required.

(8) The second stage shall be conducted in a manner identical to the first stage. The serial shall be evaluated according to stage two of the table. On the basis of accumulated results, a serial shall either pass or fail the second stage.

§ 113.104 *Erysipelas* Bacterin.

Erysipelas Bacterin shall be produced from a culture of *Erysipelothrix insidiosa* which has been rendered sterile and non-toxic. Each serial of biological product containing *erysipelas* bacterin shall be tested for purity, safety, potency, and residual formaldehyde. A serial found unsatisfactory by any prescribed test shall not be released.

(a) *Purity test.* Final container samples of completed product from each serial and each subserial shall be tested for viable bacteria and fungi as provided in § 113.26.

(b) *Safety test.* Bulk or final container samples of completed product from each serial shall be tested for safety as provided in § 113.38, except the injections shall be made subcutaneously.

(c) *Potency tests.* Bulk or final container samples of completed product shall be tested by either the swine protection test provided in § 113.112 or the mouse protection test provided in this section. When the mouse protection test is conducted, the ability of the bacterin to be tested (Unknown) to protect mice shall be compared with a standard bacterin (Standard) which is either supplied by or is acceptable to Veterinary Services.

(1) Bacterins with a 2 ml recommended dose for swine shall be diluted 1:2.5 with physiological saline solution and tested the same as bacterin with a 5 ml recommended dose. At least three threefold dilutions shall be made with the Standard and comparable threefold

dilutions for the Unknown. The dilution series 1:30, 1:90, and 1:270 is suggested.

(2) For each dilution of the Standard and each dilution of the Unknown, a group of at least 16 mice, each weighing 18-20 grams, shall be used. Each mouse in a group shall be injected subcutaneously with 0.5 ml from the appropriate dilution.

(3) Each injected mouse shall be challenged subcutaneously 14-21 days after being injected with the diluted bacterin. A 0.5 ml dose containing 100 mouse LD₅₀ of a suitable culture of *Erysipelothrix insidiosa* shall be used. All survivors in each group of mice shall be recorded 10 days post-challenge.

(4) *Test for valid assay.* The same consecutive dilutions of the Standard and Unknown need not be used in the test for valid assay, but the following requirements shall be met:

(i) At least two dilutions of the Standard and two dilutions of the Unknown shall protect more than 6 percent and less than 100 percent of the mice inoculated. The smallest dilution of the Standard shall protect more than 50 percent and the largest dilution less than 50 percent.

(ii) Subtract the numbers of surviving mice injected with the lower dilution, middle dilution, and higher dilution of the Unknown from the numbers of surviving mice injected with the corresponding dilutions of the Standard. Designate the differences as No. 1, No. 2, and No. 3.

(iii) Adjust difference No. 2 to zero by adding the proper figure using a plus or minus sign as needed. Add the same figure to Difference No. 1 and to Difference No. 3.

(iv) Consult this table to see if the results obtained are included.

Difference 1	Range of Difference 3
-9	-7 to -2 inclusive
-8	-8 to 0
-7	-9 to +2
-6	-9 to +3
-5	-9 to +4
-4	-9 to +5
-3	-9 to +6
-2	-9 to +7
-1	-8 to +7
0	-8 to +8
1	-7 to +8
2	-7 to +9
3	-6 to +9
4	-5 to +9
5	-4 to +9
6	-3 to +9
7	-2 to +9
8	0 to +8
9	2 to +7

(v) If the results do not appear, the test is invalid. If the results do appear, the test is valid and the potency of the Unknown can be compared with the Standard.

(5) Using the same dilutions used to determine validity, obtain the total survivors of the Unknown and the total survivors of the Standard. If the total number of survivors for the Standard exceeds the total number of survivors for the Unknown by a number greater than six, the Unknown is unsatisfactory.

§ 113.105-§ 113.109 [Reserved]

LIVE BACTERIAL VACCINES

§ 113.110 *Brucella Abortus Vaccine.*

Brucella Abortus Vaccine shall be prepared as a desiccated live culture bacterial vaccine from smooth colonial forms of the *Brucella abortus* organism, identified as Strain 19. Each serial and subserial shall be tested for purity, potency, and moisture content. A serial or subserial found unsatisfactory by a prescribed test shall not be released.

(a) *Purity tests.* Each serial and subserial shall be tested for purity as provided in this paragraph.

(1) Macroscopic or microscopic examination shall be made on bulk samples from production containers. If organisms not typical of *Brucella abortus* organisms are evident, the serial or subserial is unsatisfactory.

(2) To meet the requirements prescribed in § 113.27(b), at least four single-dose or two multiple-dose final container samples of completed product shall be tested by inoculating one potato agar slant, one tube of Dextrose Andrades broth with gas tube (or equivalent) and one tube of thioglycollate broth from each sample.

(3) Bacterial dissociation test. Final container samples of completed product from each serial and subserial shall be tested for bacterial dissociation. Smooth colonies are the desired form. Rough colonies are undesirable terminal dissociation forms. Intermediate and intermediate-to-rough are also undesirable.

(4) The sample shall be rehydrated and streaked on one potato agar plate for each container in such a manner as to produce confluent colonies. Artificial reflected light shall be used so that the rays pass through the plate at a 45° angle.

(i) If the vaccine contains more than 5 percent rough colonies or more than 15 percent total undesirable colonies, the serial or subserial is unsatisfactory. If organisms or growth not characteristic of *Brucella abortus* are found, the serial or subserial is unsatisfactory. The test may be repeated one time using double the number of samples; *Provided, That*, if the test is not repeated, the serial or subserial is unsatisfactory.

(b) *Potency test.* Each serial and each subserial shall be tested for potency.

(1) At least four single-dose or two multiple-dose final container samples of completed product shall be tested for the number of viable organisms per cubic centimeter of rehydrated vaccine. A bacterial count shall be made on tryptose agar plates using suitable dilutions and peptone water diluent.

(2) The desirable concentration shall be within the range of 10-20 billion viable *Brucella abortus* organisms per cubic centimeters of rehydrated vaccine to assure sufficient antigen throughout the dating period.

(i) If freshly prepared *Brucella abortus* vaccine contains less than 10 billion viable *Brucella abortus* organisms per cubic centimeter of rehydrated vaccine, the serial or subserial is unsatisfactory.

(ii) If tested at any time within the expiration period, each cubic centimeter of rehydrated vaccine does not contain 5 billion viable *Brucella abortus* organisms, the serial or subserial is unsatisfactory.

§ 113.111 Anthrax Spore Vaccine—Non-encapsulated.

Anthrax Spore Vaccine—Nonencapsulated shall be a live spore suspension prepared for nonencapsulated variants of *Bacillus anthracis* which has been proven to be immunogenic and relatively nonpathogenic. Each serial and subserial shall be tested for purity, safety, and potency. A serial or subserial found unsatisfactory by any prescribed test shall not be released.

(a) *Purity test.* Each serial or first subserial shall be tested for purity as provided in this paragraph to meet the requirements prescribed in § 113.27(b).

(1) Bulk samples of spore suspension or completed product shall be tested for microorganisms other than *Bacillus anthracis*. One ml shall be inoculated onto each of five plates of nutrient agar, incubated at 35-37° C and examined macroscopically and microscopically daily for 7 days. If growth not characteristic of *Bacillus anthracis* is detected, the serial or subserial is unsatisfactory.

(2) Each of five final container samples of completed product shall be tested as follows:

(i) One ml shall be inoculated into one tube of either thioglycollate or nutrient broth, incubated at 37° C for 7 days and examined for microorganisms other than *Bacillus anthracis*. If microorganisms other than *Bacillus anthracis* are detected, the serial or subserial is unsatisfactory.

(ii) One ml shall be inoculated into one vessel of Soybean Casein Digest Medium, incubated at 20-25° C for 14 days, and examined for fungi. If fungi are detected, the serial is unsatisfactory.

(3) Bacterial dissociation test. Vaccine from each bulk container shall be streaked onto the surface of two serum agar plates (50 percent bovine serum with nutrient agar) in such a manner so to produce isolated colonies over a major portion of the plates. The plates shall be incubated under an atmosphere of 30 percent CO₂ at 37° C and examined under a dissection-type microscope using obliquely transmitted light daily for at least 3 days. If the colonies are not of the rough opaque type, the serial is unsatisfactory. Questionable colonies shall be subcultured and the organisms inoculated into guinea pigs to check for undesirable reactions. If undesirable reactions occur, the serial is unsatisfactory.

(b) *Safety test.* The prechallenge period of the potency test provided in paragraph (c) (1) of this section constitutes a safety test. If 80 percent of the vaccinates survive the prechallenge period, the serial is satisfactory for safety; *Provided, That*

(1) If less than 80 percent of the vaccinates survive the prechallenge period, each of five young sheep or goats shall be inoculated subcutaneously with a total

of two cattle doses which may be fractionally administered in two sites and the animals observed for 14 days; and

(2) If any sheep or goat shows evidence of persistent or progressive edema (does not subside in 4 or 5 days) or does not survive the observation period, the serial or subserial is unsatisfactory.

(c) *Potency tests.* The spore count test and the vaccination challenge test provided in this paragraph shall be conducted on each serial and subserial.

(1) *Sport count.* Final container samples of completed product shall be diluted in tenfold steps. Each dilution that may be significant shall be plated in triplicate on nutrient or tryptose agar, inverted, and incubated at 35-37° C for 24-48 hours. The plates showing proper dispersion of colonies shall be counted and averaged. If the spore count average is less than 2,000,000 spores per bovine dose, the serial or subserial is unsatisfactory.

(2) Bulk or final container samples of completed product shall be tested for potency in healthy guinea pigs weighting 400-500 grams each.

(i) Each of at least 10 guinea pigs shall be vaccinated subcutaneously on the abdominal area with one-half the dose recommended for cattle and observed for 14 days. The vaccinated guinea pigs and six unvaccinated control guinea pigs shall be challenged with a suspension of anthrax spores virulent to guinea pigs and observed an additional 10 days.

(ii) If five of the six unvaccinated controls do not die during the 10 day post-challenge observation period, the test is inconclusive and may be repeated.

(iii) If at least five of the six unvaccinated controls die and less than 80 percent of the vaccinates remain well during the post-challenge observation period, the serial or subserial is unsatisfactory.

§ 113.112 *Erysipelas Vaccine.*

Erysipelas Vaccine shall be prepared as a desiccated live culture of an avirulent or modified strain of *Erysipelothrix insidiosa* which has been proven to be non-pathogenic and nontoxic. Each serial and subserial shall be tested for purity, safety, potency, and moisture content. A serial or subserial found unsatisfactory by any prescribed test shall not be released.

(a) *Purity test.* Bulk or final container samples of completed product from each serial shall be tested by colonial observation and gram stain of organisms plated on a suitable solid media to meet the requirements prescribed in § 113.27(b).

(b) *Safety test.* Final container samples of completed product from each serial and subserial shall be tested as provided in § 113.39. Injections shall be made subcutaneously.

(c) *Potency tests.* Final container samples of completed product from each serial and subserial shall be tested for potency as provided in this paragraph.

(1) A plate count shall be made to determine the number of viable *Erysipelothrix insidiosa* in each dose. Those serials

or subserials which do not meet the requirements written into the licensee's approved Outline of Production are unsatisfactory.

(2) A swine protection test using susceptible pigs as test animals shall be conducted. Each of four pigs (vaccinates) shall be injected with one pig dose as recommended on the label. Four additional pigs shall be held as unvaccinated controls. Fourteen to twenty-one days post-vaccination, the vaccinates and the controls shall be challenged with a virulent *Erysipelothrix insidiosa* culture by the percutaneous, or intradermal, or intramuscular route and observed for 7 days. The test shall be interpreted in accordance with the criteria provided in paragraph (c) (2) (i), (ii), and (iii) of this section.

(i) A satisfactory challenge shall be evidenced in the controls by a bacteremia, a high body temperature, and clinical signs of sickness, including but not limited to acute illness with hyperemia of the abdomen and ears possibly terminating in sudden death; moribund and anorexia, with or without metastatic skin lesions; slowness with variable anorexia, stiffness, and/or joint involvement; and any combination of these symptoms and lesions.

(ii) If at least 75 percent of the controls do not show characteristic symptoms of swine erysipelas during the observation period, including but not limited to a body temperature of 105.6° F or higher on at least 2 days or 107° F or higher for at least 16 hours, the test shall be considered inconclusive; *Provided*, That control pigs which meet the criteria requirements for susceptibility except for high body temperature shall be considered susceptible if sacrificed and organisms identified as *Erysipelothrix insidiosa* can be isolated from the blood, spleen, or other organs.

(iii) To demonstrate immunity after challenge, the vaccinates shall remain free of lesions or symptoms or erysipelas and the body temperature shall not exceed 104.6° F for longer than 1 day. If at least 75 percent of the vaccinates do not demonstrate immunity to erysipelas throughout the observation period, the serial or subserial is unsatisfactory.

Interested parties are invited to submit written data, views, or arguments regarding the proposed regulations to Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Washington, D.C. 20250. All comments received on or before November 16, 1973, will be considered.

All written submissions made pursuant to this notice will be made available for public inspection at Biology Staff, Veterinary Services, Animal and Plant Health Inspection Service, Room 828-A, Federal Center Building #1, Hyattsville, Maryland, at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

Done at Washington, D.C., this 11th day of September 1973.

F. J. MULHERN,
Administrator, Animal and
Plant Health Inspection Service.

[FR Doc. 73-19675 Filed 9-17-73; 8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 273]

LIMULUS AMEBOCYTE LYSATE

Additional Standards

On January 12, 1973, the Commissioner of Food and Drugs published a notice in the FEDERAL REGISTER (38 FR 1404) informing all interested persons of the applicability of section 351 of the Public Health Service Act to the preparation Limulus Amebocyte Lysate. The Limulus preparation, prepared from the circulating blood cells (amebocytes) of the horseshoe crab (*Limulus polyphemus*), has been shown to be a sensitive indicator of the presence of bacterial endotoxins. Such a product can be employed as an *in vitro* test in detecting clinical endotoxemia and for the detection of bacterial endotoxins (pyrogens) in biological products and other drugs or fluids for parenteral administration to man. It is well known that the administration of fluids containing bacterial endotoxins can produce shock, fever and death. The Commissioner also announced in this notice that licenses for Limulus Amebocyte Lysate would not be issued until specific standards for safety, purity and potency were established.

Subsequently, the Commissioner published in the FEDERAL REGISTER of March 15, 1973 (38 FR 7096), a final order establishing a new part 167 containing labeling requirements and procedures for the development of standards for all *in vitro* diagnostic products for human use. Section 167.6 (21 CFR 167.6) of these regulations exempts an *in vitro* biological product from the requirements of section 505 of the Federal Food, Drug, and Cosmetic Act (which prohibits interstate shipment of a new drug without Food and Drug Administration approval) and section 351 of the Public Health Service Act (which prohibits the sale, barter, or exchange in interstate or foreign commerce or within the District of Columbia, of any such product without a license) if it meets all the requirements of Part 167, unless the Commissioner finds that additional requirements should be imposed pursuant to section 505 or 351 in order to protect the public health.

Endotoxemia is pathogenic to man. *In vitro* detection of clinical endotoxemia and detection of endotoxins in fluid to be administered parenterally to man are critical determinations. Since a Limulus preparation will be used in making these determinations, the degree of sensitivity

of the product is crucial. In addition, this Limulus test is very valuable in detecting pyrogens in radio-pharmaceuticals prepared by hospital pharmacies on a prescription basis. In view of these critical uses, the Commissioner has concluded that rigid production controls are necessary to give maximum assurance that this potent diagnostic product will prevent unexpected and harmful pyrogenic reactions in man. Therefore, the Commissioner finds that the public health requires that the product be marketed only under the strict regulatory controls of section 351 of the Public Health Service Act and section 505 of the Federal Food, Drug, and Cosmetic Act. Pursuant to § 130.3(g) (21 CFR 130.3), current investigation of these products requires a "Notice of Claimed Investigational Exemption for a New Drug" to be submitted to the Bureau of Biologics, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20852. Such products may not be lawfully marketed until they are licensed pursuant to section 351 of the Public Health Service Act. Such licenses will not be issued until such time as sufficient information is submitted, as required by section 505 of the Federal Food, Drug, and Cosmetic Act, to ensure that the products do in fact perform effectively as an *in vitro* indicator of the presence of endotoxins.

In conjunction with the license requirement for this product, the Commissioner is publishing proposed additional standards for Limulus Amebocyte Lysate, to assure the safety, purity and potency of the licensed product.

Therefore, pursuant to provisions of the Public Health Service Act (sec. 351, 58 Stat. 702 as amended; 42 U.S.C. 262) and the Administrative Procedure Act (sec. 4, 10, 60 Stat. 238 and 243, as amended; 5 U.S.C. 553, 702, 703, 704) and under authority delegated to him (21 CFR 2.120), the Commissioner proposes to amend Part 273 as follows:

1. In Subpart A, by alphabetically adding to the list of dating periods in § 273.870 the following product:

§ 273.870 Dating periods for specific products.

• • • • •
Limulus Amebocyte Lysate. Eighteen months.
• • • • •

2. In Subpart F by adding a new center heading and the following new sections:

LIMULUS AMEBOCYTE LYSATE
Sec.
273.5020 The product.
273.5021 Reference Endotoxin.
273.5022 Potency test.
273.5023 General requirements.
273.5024 Samples; protocols; official release.

LIMULUS AMEBOCYTE LYSATE
§ 273.5020 The product.

The proper name of this product shall be Limulus Amebocyte Lysate which shall consist of a sterile, freeze-dried preparation derived from the blood of *Limulus*

polyphemus and which is capable of detecting bacterial endotoxins.

§ 273.5021 Reference Endotoxin.

A Reference Endotoxin shall be obtained from the Bureau of Biologics Food and Drug Administration, 5600 Fishers Lane, BI-300, Rockville, MD 20852, and shall be used for determining the potency of Limulus Amebocyte Lysate.

§ 273.5022 Potency test.

Limulus Amebocyte Lysate shall not be issued unless filling is tested against the Reference Endotoxin and the potency shall be such as to produce a positive reaction with 0.1 nanogram of Reference Endotoxin and a negative reaction with 0.0125 nanogram of Reference Endotoxin. The assay shall be performed with consecutive two-fold dilutions from 0.2 nanograms to 0.00625 nanogram. The test shall be incubated at 37° C. for one hour in a tube with an inside diameter not greater than 10 millimeters. A positive test shall be one in which a solid gel, capable of holding when the tube is inverted, is formed within the one hour incubation period. The procedures for rehydrating and mixing the lysate for the potency test shall be those detailed in the manufacturer's package enclosure.

§ 273.5023 General requirements.

(a) *Processing.* The processing methods shall be those which have been shown to consistently yield a potent and detection-specific final product free of properties which would adversely affect the accuracy of the diagnostic test results when the Limulus Amebocyte Lysate is used by the methods recommended by the manufacturer in the package enclosure.

(b) *Ancillary reagents and materials.* All ancillary reagents and materials accompanying the product that are used in the performance of the test as described by the manufacturer's recommended test procedures, shall not affect the performance of the Limulus Amebocyte Lysate within the prescribed dating period. Each package of the Limulus Amebocyte Lysate shall include positive and negative control preparations that shall be used to establish the specificity and sensitivity of each test performed with the product.

(c) *Labeling.* In addition to the applicable information required by §§ 273.600, 273.601, and 273.602:

(1) Instructions on the package label and on the final container label, if of a size requiring a full label, shall include:

(i) A reference to the package enclosure for test method(s) to be employed when using Limulus Amebocyte Lysate;

(ii) A statement that the diluent used to rehydrate the lysate must be tested, without addition of the test material, in parallel with the test material;

(iii) A warning statement that the tubes of material on test should not be removed from incubation or disturbed

prior to the time specified for reading the test.

(2) If the final container holds multiple tests, (i) the final container label shall include the statement "Reconstitution date: -----"; and, (ii) the final container label, the package label, and the package enclosure, shall include a statement indicating the period within which the product may be used after reconstitution, and the statement, "Store below 5° C".

(3) If the final container holds a single test, the package label and the package enclosure shall include a statement that the product shall not be rehydrated until immediately prior to use.

(d) *Final container.* Final containers shall be sterile, colorless, and transparent.

(e) *Test for residual moisture.* If the weight of the contents of each final container is less than 15 milligrams, the product is exempt from the general test for residual moisture required by § 273.740(a). However, throughout the dating period, the manufacturer of such exempt product shall perform the potency test described in § 273.5022 at four month intervals on representative samples from each filling. Upon the completion of each test, the results shall be submitted to the Director, Bureau of Biologics, Food and Drug Administration, 5600 Fishers Lane, BI-1, Rockville, MD 20852.

§ 273.5024 Samples; protocols; official release.

For each filling of the product:

(a) A sample, consisting of at least three complete market packages and not less than the equivalent of 0.5 milliliter of lysate packaged for distribution, including all ancillary reagents and materials, shall be submitted to the Director, Bureau of Biologics, Food and Drug Administration, Building 29A, 9000 Rockville Pike, Bethesda, MD 20014.

(b) A protocol, consisting of a complete summary of the history of manufacture of each filling, including all results of each test for which test results are required, shall be submitted to the Director, Bureau of Biologics, Food and Drug Administration, 5600 Fishers Lane, BI-1, Rockville, MD 20852. If the protocol is included in the shipment of the sample as specified in paragraph (a) of this section, it need not be mailed again as required by this section.

No filling of the finished Limulus Amebocyte Lysate shall be issued by the manufacturer until notification of official release of the filling is received from the Director, Bureau of Biologics, Food and Drug Administration.

Interested persons, may, on or before November 19, 1973, file with the Hearing Clerk, Food and Drug Administration, Rm. 6-86, 5600 Fishers Lane, Rockville, MD 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may

be seen in the above office during regular business hours, Monday through Friday.

Dated September 11, 1973.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc. 73-19789 Filed 9-17-73; 8:45 am]

Social Security Administration
[20 CFR Part 405]

[Reg. 5]

FEDERAL HEALTH INSURANCE FOR THE
AGED
Supplementary Medical Insurance
Enrollment

Notice is hereby given pursuant to the Administrative Procedure Act, as amended (5 U.S.C. 553) that the amendments to the regulations (20 CFR 405.214 and 405.226) set forth below in tentative form are proposed by the Acting Commissioner of Social Security with the approval of the Secretary of Health, Education, and Welfare. The proposed amendments implement section 260 of the Social Security Amendments of 1972 (P.L. 92-603) which eliminates the restrictions preventing enrollment in the supplementary medical insurance program more than 3 years after an individual's initial enrollment period, and preventing reenrollment more than 3 years after termination of a prior period of coverage; and section 259, which authorizes the Secretary to provide equitable relief where an individual's enrollment or nonenrollment was unintentional, inadvertent, or erroneous and was caused by administrative misrepresentation, inaction, or error.

Prior to the final adoption of the proposed regulations, consideration will be given to any comments, views, or objections relating thereto which are submitted in writing in triplicate to the Commissioner of Social Security, Department of Health, Education, and Welfare Building, Fourth and Independence Avenue SW., Washington, D.C. 20201, on or before October 18, 1973.

Copies of all comments received in response to this notice will be available for public inspection during regular business hours at the Washington Inquiries Section, Office of Public Affairs, Social Security Administration, Department of Health, Education, and Welfare, North Building, Room 4146, 330 Independence Avenue SW., Washington, D.C. 20201.

The proposed amendments are to be issued under the authority contained in sections 1102, 1837, 1871, 49 Stat. 647, as amended, 79 Stat. 331, as amended; 42 U.S.C. 1302, 1395 et seq.

(Catalog of Federal Domestic Assistance Program No. 13.801, Health Insurance for the Aged—Supplementary Medical Insurance.)

Dated July 31, 1973.

ARTHUR E. HESS,
Acting Commissioner
of Social Security.

Approved September 12, 1973.

CASPAR W. WEINBERGER,
Secretary of Health,
Education, and Welfare.

Subpart B of Regulations No. 5 of the Social Security Administration (20 CFR 405) is amended as follows:

1. Paragraphs (a) and (b) of § 405.214 are revised to read as follows:

§ 405.214 Individual enrollment; limitation on enrollment and reenrollment.

(a) *Delayed enrollment, or reenrollment, prior to October 30, 1972.* An individual who failed to enroll in the supplementary medical insurance plan during his initial enrollment period (see § 405.212) could enroll thereafter prior to October 30, 1972, only during a general enrollment period (see § 405.213) which began no later than 3 years after the close of his initial enrollment period. An individual whose enrollment had terminated (see § 405.223) could, subject to the provisions of paragraph (c) of this section, reenroll prior to October 30, 1972, only during a general enrollment period which began no later than 3 years after the last day of his prior period of coverage. An individual who did not enroll or reenroll during this 3-year period was precluded from enrollment.

Example 1. An individual first meets the eligibility requirements for entitlement in October 1968 but fails to enroll during his initial enrollment period—July 1968 through January 1969. Under the law applicable before October 30, 1972, he could later enroll only during the remaining 2 months of the general enrollment period then in progress, i.e., February and March 1969, or during one of the three general enrollment periods which began no later than 3 years after the close of his initial enrollment period, i.e., January through March of the calendar years 1970, 1971, or 1972. He could not enroll after March 31, 1972, the close of the last general enrollment period which began no later than 3 years after the close of his initial enrollment period.

Example 2. An individual notified the Administration in writing during May 1969 that he no longer wished to participate in the supplementary medical insurance plan and, accordingly, his enrollment terminated on September 30, 1969. He could reenroll under the law applicable before October 30, 1972, only within the periods January through March of the calendar years 1970, 1971, or 1972, the three general enrollment periods which began no later than 3 years after the termination date of his prior enrollment.

(b) *Delayed enrollment or reenrollment after October 29, 1972.* Effective October 30, 1972, an individual who did not enroll during his initial enrollment period or whose enrollment has terminated may enroll or reenroll, thereafter, subject to the provisions of paragraph

(c) of this section only during a general enrollment period (whether or not such general enrollment period begins within 3 years after the last day of his initial enrollment period or of his prior period of coverage).

2. The following new section is added:

§ 405.226 Equitable relief for individual whose enrollment rights have been prejudiced by government misrepresentation, inaction or error.

Notwithstanding any other provision of this subpart or Subpart I of this Part, in any case where it is established that an individual's enrollment or nonenrollment in the supplementary medical insurance plan or in the hospital insurance plan pursuant to section 1818 of the Social Security Act, is unintentional, inadvertent, or erroneous and is the result of the error, misrepresentation or inaction of an officer, employee, or agent of the Federal Government or its instrumentalities, the Social Security Administration may provide equitable relief to correct or eliminate the effects of such prejudicial misrepresentation, inaction, or error. Such equitable relief may include, but is not limited to, designation of a special initial or subsequent enrollment period or coverage period, or adjustment in premiums, or any combination of these measures.

[FR Doc. 73-19808 Filed 9-17-73; 8:45 am]

DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT

Office of Assistant Secretary for Housing
Production and Mortgage Credit

[24 CFR Parts 205, 242, 244]

[Docket No. R-73-240]

NATIONAL HOUSING MORTGAGE AND
LOAN INSURANCE PROGRAMS

Waiver of Eligibility Requirements for
Mortgage Insurance

The Department proposes to amend Parts 205, 242, and 244 to eliminate certain normally applicable eligibility requirements, particularly fees, relating to processing for mortgage insurance when the Secretary needs the added flexibility to dispose of property interests he holds. Such property interests are most commonly acquired by the Secretary as a result of defaults on project obligations related to various departmental programs of mortgage insurance.

Accordingly, pursuant to sections 211, 242, 1002, 1011, 1101, and 1104 of the National Housing Act, as amended (12 U.S.C. 1715b, 1715c-7, 1749bb, 1749jj, 1749aaa, 1749aaa-3), sec. 7(d) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(d)), and the Secretary's delegation of authority (36 FR 5006, March 16, 1971) notice is hereby given that it is proposed to amend Parts 205 (Land Development, Title X), 242 (Hospitals), and 244 (Group Practice Facilities, Title XI) of the FHA regulations governing payment of fees and

mortgage eligibility in respect to mortgage insurance for land development, hospitals, and group practice facilities.

All interested persons are invited to submit written comments or suggestions in triplicate with respect to this proposal by October 19, 1973. Such comments shall be addressed to the Rules Docket Clerk, Office of the General Counsel, Room 10256, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410. All relevant material will be considered before adoption of a final rule. A copy of each communication will be available for public inspection during regular business hours at the above address.

Parts 205, 242 and 244 are each proposed to be amended by adding the following language to be inserted in the appropriate sequence of each Part by new sections numbered respectively § 205.138, § 242.88 and § 244.168.

PART 205—MORTGAGE INSURANCE FOR LAND DEVELOPMENT (TITLE X)

In Part 205 a new § 205.138 is added as follows:

§ 205.138 Waiver of Eligibility Requirements for Mortgage Insurance.

The Secretary may insure under this part, without regard to any limitation upon eligibility contained in this subpart, any mortgage assigned to him in connection with payment under a contract of mortgage insurance, or executed in connection with a sale by him of any property acquired under any section or title of the Act.

PART 242—MORTGAGE INSURANCE FOR HOSPITAL

In Part 242 a new § 242.88 is added as follows:

§ 242.88 Waiver of Eligibility Requirements for Mortgage Insurance.

The Secretary may insure under this part, without regard to any limitation upon eligibility contained in this subpart, any mortgage assigned to him in connection with payment under a contract of mortgage insurance, or executed in connection with a sale by him of any property acquired under any section or title of the Act.

PART 244—MORTGAGE INSURANCE FOR GROUP PRACTICE FACILITIES (TITLE XI)

In Part 244 a new § 244.168 is added as follows:

§ 244.168 Waiver of Eligibility Requirements for Mortgage Insurance.

The Secretary may insure under this part, without regard to any limitation upon eligibility contained in this subpart, any mortgage assigned to him in connection with payment under a contract of mortgage insurance, or executed in connection with a sale by him of any property acquired under any section or title of the Act.

Issued at Washington, D.C., Sept. 12, 1973.

SHELDON B. LUBAR,
*Assistant Secretary for Housing
Production and Mortgage Credit.*

[FR Doc.73-19796 Filed 9-17-73;8:45 am]

FEDERAL HOME LOAN BANK BOARD

[No. 73-1155]

[12 CFR Part 545]

FEDERAL SAVINGS AND LOAN SYSTEM

**Service Corporation Joint Ventures;
Withdrawal of Proposal**

AUGUST 15, 1973.

Whereas, the Federal Home Loan Bank Board by Resolution No. 72-1375, dated November 22, 1972, and duly published in the FEDERAL REGISTER on December 16, 1972 (37 FR 26837) proposed to amend Part 545 of the Rules and Regulations for the Federal Savings and Loan System (12 CFR Part 545), as set out in said publication, for the purpose of limiting service corporation joint ventures to single undertakings or series of related undertakings of limited duration; and

Whereas, careful consideration has been given to such proposed amendment:

It is hereby resolved, That the Board determines not to adopt the amendment proposed by said Resolution No. 72-1375.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943-48 Comp., p. 1071.)

By the Federal Home Loan Bank Board.

[SEAL]

EUGENE M. HERRIN,
Assistant Secretary.

[FR Doc.73-19801 Filed 9-17-73;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR, Part 270]

[Release IC-7980, File No. S7-435]

FIDELITY BONDS OF OFFICERS AND EMPLOYEES OF REGISTERED INVESTMENT COMPANIES

Supplemental Notice of Proposed Rulemaking

On April 5, 1972, the Securities and Exchange Commission published notice (Investment Company Act Release No. 7107) and in the FEDERAL REGISTER issue of April 22, 1972, 37 FR 7993 that it had under consideration the adoption of amendments to Rule 17g-1 [17 CFR 270.17g-1] under the Investment Company Act of 1940 ("Act") [15 U.S.C. 80a-1 et seq.] and invited all interested persons to submit their views and comments on the proposal. The Commission has considered all the comments and suggestions received and has substantially revised the proposed Rule. In view of the important nature of certain of these revisions, the Commission deems it appropriate to hereby give notice of the revision of the proposal to amend Rule 17g-1.

Section 17(g) of the Act [15 U.S.C. 80a-17(g)] authorizes the Commission to require by rules and regulations, for the protection of investors, that any officer and any employee of a registered management investment company be bonded by a reputable fidelity insurance company against larceny and embezzlement if such officer or employee has access, singly or jointly with others, to securities or funds of any registered investment company, either directly or through authority to draw upon such funds, or to direct generally the disposition of such securities.

Rule 17g-1, now in effect, in general, requires that there shall be fidelity bonds in such reasonable amount as a majority of the board of directors who are not covered persons may determine, subject to modification by the Commission as to the amount, type, form and coverage of such bonds. It also requires, among other things, that a copy of the bond be filed with the Commission, and that the investment company notify the Commission immediately upon cancellation or termination of such bond.

The amendment to the rule, as originally proposed, would, primarily, set forth minimum required amounts of coverage and permit a registered management investment company to be named as an insured in a single or joint insured bond. A single insured bond names the registered management investment company as the only insured. A joint insured bond, pursuant to the Rule, as originally proposed, could name as insured the investment company and one or more other parties, provided that such parties shall be limited to (i) persons engaged in the management or distribution of the shares of the registered management investment company, (ii) other registered management investment companies which are managed and/or whose shares are distributed by the same persons (or affiliates of such persons), or (iii) persons who are engaged in the management and/or distribution of shares of companies included in (ii) above. Reference is made to Investment Company Act Release No. 7107 for a more detailed discussion of the amendments to Rule 17g-1 proposed therein.

As a result of comments and suggestions received from interested persons, and after further consideration of the provisions of the proposed amendment to Rule 17g-1, the Commission has found it appropriate to revised the proposed amended Rule. Many of the revisions are intended to clarify certain provisions of the Rule and require no further discussion in this release. Certain other revisions, however, are more substantive in nature.

Paragraph (a) of the proposed rule has been revised to except from the definition of "covered persons" any officer or employee of the investment company who has access to its securities or funds solely through his position as an officer or employee of a bank. This exception appears in Section 17(g) of the

Act and, for clarification, has been added to the proposed Rule.

Paragraph (b) has been expanded to permit persons engaged in the administration of registered investment companies to be covered by a joint insured bond. Such persons may include any persons who perform services for the investment company or are involved in the distribution of its shares, including in-house service agents, depositors, sponsors and others. The Commission has also added a fourth category of persons who may be named in a joint insured bond together with an investment company. This category includes any trust, pension, profit-sharing or other benefit plan for employees of persons named in the bond. It should be emphasized that this provision is permissive and not mandatory. In this regard, the Commission has also added paragraph (j) to the proposed rule in order to remove any question as to the status of joint insured bonds and the participants therein under section 17(d) of the Act [15 U.S.C. 80a-17(d)] and Rule 17d-1 [17 CFR 270.17d-1] thereunder. Section 17(d) and Rule 17d-1(a), in pertinent part, prohibit any affiliated person of a registered investment company, or any affiliated person of such person, from participating in any joint transaction, enterprise or other arrangement in which such registered investment company is also a participant unless an application regarding such joint transaction, enterprise or other arrangement has been filed with, and approved by, the Commission. In view of the possibility that joint insured bonds may constitute joint arrangements as contemplated by section 17(d) and rule 17d-1(a), paragraph (j) has been added to the proposed Rule to exempt from the provisions of section 17(d) and the rules thereunder any joint insured bonding arrangement which complies with the provisions of the proposed Rule 17g-1.

The principal revisions in the proposed Rule 17g-1 appear in paragraph (c). Existing Rule 17g-1 provides, as here relevant, that the bond "shall provide that it shall not be cancelled, terminated or modified except after written notice shall have been given by the acting party to the affected party and to the Commission not less than 30 days prior to the effective date of cancellation, termination or modification." The existing rule, however, contemplates that an investment company would only be named as the sole insured in a single insured bond and, therefore, that such investment company would either send or receive all notices of cancellation or termination. The present rule does not specifically provide for the possibility that an investment company would maintain coverage as a party to a joint insured bond. Proposed new Rule 17g-1 essentially incorporated the existing provision into paragraph (c) and extended the notice to sixty days. However, under the present and proposed Rules, an investment company named in a joint insured bond would not receive notice of cancellation, termination or modification if

it were not the acting party or the first named insured. Further, the provision in proposed paragraph (d) requiring, in effect, that each of the other named insureds under a joint insured bond shall notify the investment company of the filing and settlement of any claim under the bond by such other named insured, did not adequately protect jointly insured investment companies in the event that another named insured would fail to comply with this requirement. Therefore, in order to provide the protections for jointly insured investment companies which presently exist for solely insured investment companies, the Commission has revised proposed paragraph (c) to provide, generally, that a joint insured bond shall provide that the fidelity insurance company shall furnish to each named investment company under the bond: notice of cancellation, termination or modification of the bond; a copy of the bond and any amendment thereto; a copy of each formal filing of a claim under the bond by another named insured; and notification of the terms of the settlement of each such claim prior to the execution of such settlement.

Paragraph (d) and new paragraph (e) have been revised to emphasize that the factors to be considered by the directors of investment companies who are not "interested persons" thereof in deciding whether to approve a particular bond, or the premium to be paid therefor, are not limited to the factors specified in these paragraphs. The directors should consider all factors relevant to these matters in the course of their deliberations. With respect to the factors to be considered in approving the portion of the premium for a joint insured bond to be paid by an investment company, the board of directors of such company should make certain that the company shares in the economies resulting from the fact that more than one insured will be covered by the bond.

Paragraph (k) formerly designated as paragraph (h), has been revised to require compliance with the provisions of the amended Rule within six months of the effective date of the Rule, rather than three months as originally proposed.

Commission action. Accordingly, the Securities and Exchange Commission, pursuant to the authority granted to it in sections 6(c), 17(d), 17(g) and 38(a) of the Investment Company Act of 1940, hereby proposes to amend section 270.17g-1 of Chapter II of Title 17 of the Code of Federal Regulations by revising a previous proposal [37 FR 7993] as indicated below. As so revised § 270.17g-1 would read as follows:

§ 270.17g-1 Bonding of officers and employees of registered management investment companies.

(a) Each registered management investment company shall provide and maintain a bond which shall be issued by a reputable fidelity insurance company, authorized to do business in the place where the bond is issued, against

larceny and embezzlement, covering each officer and employee of the investment company, who may singly, or jointly with others, have access to securities or funds of the investment company, either direct or through authority to draw upon such funds or to direct generally the disposition of such securities, unless the officer or employee has such access solely through his position as an officer or employee of a bank (hereinafter referred to as "covered persons").

(b) The bond may be in the form of (1) an individual bond for each covered person or a schedule or blanket bond covering such persons, (2) a blanket bond which names the registered management investment company as the only insured (hereinafter referred to as "single insured bond") or (3) a blanket bond which names the registered management investment company and one or more other parties as insureds (hereinafter referred to as a "joint insured bond"), such other insured parties being limited to (i) persons engaged in the management or distribution of the shares of the registered management investment company, (ii) other registered investment companies which are managed and/or whose shares are distributed by the same persons (or affiliates of such persons), (iii) persons who are engaged in the management and/or distribution of shares of companies included in paragraph (b) (3) (ii) of this section, (iv) affiliated persons of any registered management investment company named in the bond or of any person included in paragraph (b) (3) (i) or (b) (3) (iii) of this section who are engaged in the administration of any registered management investment company named as insured in the bond and (v) any trust, pension, profit-sharing or other benefit plan for employees of persons named in the bond.

(c) A bond of the type described in paragraph (b) (1) or (b) (2) of this section shall provide that it shall not be cancelled, terminated or modified except after written notice shall have been given by the acting party to the affected party and to the Commission not less than sixty days prior to the effective date of cancellation, termination or modification. A joint insured bond described in paragraph (b) (3) of this section shall provide that (1) it shall not be cancelled, terminated or modified except after written notice shall have been given by the acting party to the affected party, and by the fidelity insurance company to all registered investment companies named as insureds and to the Commission, not less than sixty days prior to the effective date of cancellation, termination or modification and (2) the fidelity insurance company shall furnish each registered management investment company named as an insured with (i) a copy of the bond and any amendment thereto promptly after the execution thereof, (ii) a copy of each formal filing of a claim under the bond by any other named insured promptly after the receipt thereof, and (iii) notification of the terms of the

settlement of each such claim not less than five days prior to the execution of the settlement.

(d) The bond shall be in such reasonable form and amount as a majority of the board of directors of the registered management investment company who are not "interested persons" of such investment company as defined by section 2(a)(19) of the Act [15 U.S.C. 80a-2(a)(19)] shall approve as often as their fiduciary duties require, but not less than once every twelve months, with due con-

sideration to all relevant factors including, but not limited to, the value of the aggregate assets of the registered management investment company to which any covered person may have access, the type and terms of the arrangements made for the custody and safekeeping of such assets, and the nature of the securities in the company's portfolio; provided, however, that (1) the amount of a single insured bond shall be at least equal to an amount computed in accordance with the following schedule:

Amount of registered management investment company gross assets—at the end of the most recent fiscal quarter prior to date of determination (in dollars):	Minimum amount of bond (in dollars)
Up to 500,000	50,000
500,000 to 1,000,000	75,000
1,000,000 to 2,500,000	100,000
2,500,000 to 5,000,000	125,000
5,000,000 to 7,500,000	150,000
7,500,000 to 10,000,000	175,000
10,000,000 to 15,000,000	200,000
15,000,000 to 20,000,000	225,000
20,000,000 to 25,000,000	250,000
25,000,000 to 35,000,000	300,000
35,000,000 to 50,000,000	350,000
50,000,000 to 75,000,000	400,000
75,000,000 to 100,000,000	450,000
100,000,000 to 150,000,000	525,000
150,000,000 to 250,000,000	600,000
250,000,000 to 500,000,000	750,000
500,000,000 to 750,000,000	900,000
750,000,000 to 1,000,000,000	1,000,000
1,000,000,000 to 1,500,000,000	1,250,000
1,500,000,000 to 2,000,000,000	1,500,000
Over 2,000,000,000	1,500,000 plus 200,000 for each 500,000,000 of gross assets up to a maximum bond of 2,500,000

(2) A joint insured bond shall be in an amount at least equal to the sum of (i) the total amount of coverage which each registered management investment company named as an insured would have been required to provide and maintain individually pursuant to the schedule hereinabove had each such registered management investment company not been named under a joint insured bond, plus (ii) the amount of each bond which each named insured other than a registered management investment company would have been required to provide and maintain pursuant to federal statutes or regulations had it not been named as an insured under a joint insured bond.

(e) No premium may be paid for any joint insured bond or any amendment thereto unless a majority of the board of directors of each registered management investment company named as an insured therein who are not "interested persons" of such company shall approve the portion of the premium to be paid by such company, taking all relevant factors into consideration including, but not limited to, the number of the other parties named as insureds, the nature of the business activities of such other parties, the amount of the joint insured bond, and the amount of the premium for such bond, the ratable allocation of the premium among all parties named as insureds, and the extent to which the share of the premium allocated to the investment company is less than the pre-

mium such company would have had to pay if it had provided and maintained a single insured bond.

(f) Each registered management investment company named as an insured in a joint insured bond shall enter into an agreement with all of the other named insureds providing that in the event recovery is received under the bond as a result of a loss sustained by the registered management investment company and one or more other named insureds, the registered management investment company shall receive an equitable and proportionate share of the recovery, but at least equal to the amount which it would have received had it provided and maintained a single insured bond with the minimum coverage required by paragraph (d)(1) of this section.

(g) Each registered management investment company shall:

(1) File with the Commission (i) within 10 days after the execution of a bond of the type described in paragraphs (b)(1) or (b)(2) of this section, or any amendment thereof, (A) a copy of the bond, (B) a copy of the resolution of a majority of the board of directors who are not "interested persons" of the registered management investment company approving the form and amount of the bond, and (C) a statement as to the period for which premiums have been paid; (ii) within 10 days after the execution of a joint insured bond, or any

amendment thereof, (A) a copy of the bond, (B) a copy of the resolution of a majority of the board of directors who are not "interested persons" of the registered management investment company approving the amount, type, form and coverage of the bond and the portion of the premium to be paid by such company, (C) a statement showing the amount of the single insured bond which the investment company would have provided and maintained had it not been named as an insured under a joint insured bond, (D) a statement as to the period for which premiums have been paid, and (E) a copy of each agreement between the investment company and all of the other named insureds entered into pursuant to paragraph (f) of this section; and (iii) a copy of any amendment to the agreement entered into pursuant to paragraph (f) of this section within 10 days after the execution of such amendment.

(2) File with the Commission, in writing, within five days after the making of any claim under the bond by the investment company, a statement of the nature and amount of the claim.

(3) File with the Commission, within five days of the receipt thereof, a copy of the terms of the settlement of any claim made under the bond by the investment company, and

(4) Notify by registered mail each member of the board of directors of the investment company at his last known residence address of (i) any cancellation, termination or modification of the bond, not less than forty-five days prior to the effective date of the cancellation or termination or modification, (ii) the filing and of the settlement of any claim under the bond by the investment company, at the time the filings required by paragraphs (g)(2) and (3) of this section are made with the Commission, and (iii) the filing and of the proposed terms of settlement of any claim under the bond by any other named insured, within five days of the receipt of a notice from the fidelity insurance company.

(h) Each registered management investment company shall designate an officer thereof who shall make the filings and give the notices required by paragraph (g) of this section.

(i) Where the registered management investment company is an unincorporated company managed by a depositor, trustee or investment adviser, the terms "officer" and "employee" shall include, for the purposes of this rule, the officers and employees of the depositor, trustee, or investment adviser.

(j) Any joint insured bond provided and maintained by a registered management investment company and one or more other parties shall be a transaction exempt from the provisions of section 17(d) of this Act and the rules thereunder, provided that the terms and provisions of such bond comply with the provisions of this rule, and further provided that the terms and provisions of any agreement required by paragraph (f) of this section comply with the provisions of that paragraph.

PROPOSED RULES

(k) Not later than six months from the effective date of this rule, arrangements between registered management investment companies and fidelity insurance companies and arrangements between registered management investment companies and other parties named as insureds under joint insured bonds which would not permit compliance with the provisions of this rule shall be modified by the parties so as to effect such compliance.

The amendments to Rule 17g-1 are proposed under the authority granted to the Commission by sections 6(c), 17(d), 17(g) and 38(a) of the Act.

All interested persons are invited to submit their written views and comments on the proposed amendment, as revised, to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, Washington, D.C. 20549, on or before October 17, 1973. All communications in

this regard should refer to File No. S7-435, and will be available for public inspection.

(Secs. 6(c), 17(d), 17(g), 38(a); 54 Stat. 800, 815, 841 (15 U.S.C. 80a-6c, 80a-17(d), 80a-17(g), 80a-37(a)).)

By the Commission, September 7, 1973.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 73-19754 Filed 9-17-73; 8:45 am]

Notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms GRANTING OF RELIEF

Notice is hereby given that pursuant to 18 U.S.C., section 925(c), the following named persons have been granted relief from disabilities imposed by Federal laws with respect to the acquisition, transfer, receipt, shipment, or possession of firearms incurred by reason of their convictions of crimes punishable by imprisonment for a term exceeding one year.

It has been established to my satisfaction that the circumstances regarding the convictions and each applicant's record and reputation are such that the applicants will not be likely to act in a manner dangerous to public safety, and that the granting of the relief will not be contrary to the public interest.

Boddington, David, 140-18 158th Street, Rochdale Queens, New York, convicted on October 4, 1937, in the Supreme Court, Kings County, New York.

Cottone, Vincent C., 545-B Greenleaf Road, Rochester, New York, convicted on February 9, 1954, in Monroe County Court, Rochester, New York.

Dundas, Nelson D., 2617 W. Earl Drive, Phoenix, Arizona, convicted on August 12, 1946, in the Park County District Court, Wyoming.

Fair, Edgar LeRoy, 213 W. Walnut Street, Butler, Pennsylvania, convicted on April 29, 1950, and on July 20, 1951, in the Court of Quarter Sessions of Butler County, Pennsylvania.

Pike, John Earl, Box 161, Pine Island, Minnesota, convicted on May 26, 1961, in the First District Court, Goodhue County, Red Wing, Minnesota.

Reed, Robert J., P.O. Box 177, Hollywood, Alabama, convicted on May 6, 1970, in the United States District Court for the Northern District of Alabama.

Reese, John Levi, 728 Waverly Drive, Arlington, Texas, convicted on March 11, 1952, in the 35th Criminal District Court of Brown County, Texas.

Turner, Roy, 898 Webb, Detroit, Michigan, convicted on November 16, 1956, in the Detroit Recorder's Court, Michigan.

Signed at Washington, D.C., this 7th day of September, 1973.

[SEAL]

REX D. DAVIS,
Director, Bureau of
Alcohol, Tobacco and Firearms.

[FR Doc.73-19792 Filed 9-17-73; 8:45 am]

United States Customs Service

(T.D. 73-259)

FOREIGN CURRENCIES

Certification of Rates

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange which varied by 5 per centum or more from the quarterly rate published in Treasury Decision 73-190 for the following countries. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following daily rates:

France franc:	
August 27, 1973	\$0.2309
August 28, 1973	.2304
Norway krone:	
August 27, 1973	.1785
August 28, 1973	.1783
August 29, 1973	.1788
August 30, 1973	.1783
August 31, 1973	.1788
Switzerland franc:	
August 27, 1973	.3286
August 28, 1973	.3281

[SEAL]

R. N. MARRA,
Director, Appraisal and
Collections Division.

[FR Doc.73-19793 Filed 9-17-73; 8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Center for Disease Control

TUBERCULOSIS CONTROL ADVISORY COMMITTEE AND VENEREAL DISEASE CONTROL ADVISORY COMMITTEE

Notice of Renewals

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Public Law 92-463, 86 Stat. 770-776), the Center for Disease Control announces the approval of renewals by the Secretary, DHEW, on June 30, 1973, with concurrence by the Office of Management and Budget Committee Management Secretariat, of the following public advisory committees.

Designation. Tuberculosis Control Advisory Committee.

Purpose. The Committee consults with and advises the Chief, Tuberculosis Branch, Bureau of State Services, Center for disease control, on policies and programs in tuberculosis control.

Designation. Venereal Disease Control Advisory Committee.

Purpose. The Committee advises the Chief, Venereal Disease Branch, Bureau of State Services, Center for Disease Control, on means and methods of implementing its program in assisting states to carry on activities in the field of venereal disease control, and reviews program operations and suggests new areas of emphasis.

Authority for these committees will expire July 1, 1975, unless the Secretary, DHEW, with the concurrence by the Of-

fice of Management and Budget Committee Management Secretariat, formally determines that continuance is in the public interest.

Dated August 29, 1973.

DAVID J. SENCER,

Director,

Center for Disease Control.

[FR Doc.73-19778 Filed 9-17-73; 8:45 am]

Food and Drug Administration

[DESI 607]

AZURESIN WITH CAFFEINE AND SODIUM BENZOATE

Follow-up Notice

In a notice (DESI 607) published in the FEDERAL REGISTER of October 14, 1971 (36 FR 19987), the Commissioner of Food and Drugs announced his conclusions pursuant to evaluation of a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group on Diagnex Blue containing azuresin granules with caffeine and sodium benzoate tablets; E. R. Squibb and Sons, Inc., Box 4000, Princeton, N.J. 08540 (NDA 10-764).

All identical, related, or similar products, not the subject of an approved new drug application, are covered by the new drug application reviewed and are subject to this notice. See 21 CFR 130.40 (37 FR 23185, October 31, 1972). Any person who wishes to determine whether a specific product is covered by this notice should write to the Food and Drug Administration, Bureau of Drugs, Office of Compliance (BD-300), 5600 Fishers Lane, Rockville, Maryland 20852.

The notice stated that the drug was regarded as possibly effective for the tubeless determination of the presence or absence of free hydrochloric acid in the stomach.

Based upon review of new data which demonstrate the safety and effectiveness of the drug for such use, the Commissioner concludes that the drug is effective for the previously possibly effective indication, as set forth in the Labeling conditions below.

Accordingly, the previous notice is amended to read as follows, insofar as it pertains to azuresin granules with caffeine and sodium benzoate tablets.

A. Effectiveness classification. The Food and Drug Administration has considered the Academy's report as well as other available evidence, and concludes that azuresin granules with caffeine and sodium benzoate tablets are effective for the tubeless determination of the presence or absence of free hydrochloric acid in the stomach.

B. Conditions for approval and marketing. The Food and Drug Administration is prepared to approve abbreviated new drug applications and abbreviated supplements to previously approved new drug applications under conditions described herein.

1. *Form of drug.* Azuresin diagnostic test consists of azuresin granules and caffeine and sodium benzoate tablets, suitable for oral administration.

2. *Labeling conditions.* (a). The label bears the statement, "Caution: Federal law prohibits dispensing without prescription."

(b). The drug is labeled to comply with all requirements of the Act and regulations and the labeling bears adequate information for safe and effective use of the drug. The indication, contraindications and warnings sections of the labeling are as follows:

INDICATION

Azuresin diagnostic test is designed for the tubeless determination of the presence or absence of free hydrochloric acid in the stomach.

CONTRAINDICATIONS

The test results may not be valid in the presence of pyloric obstruction, severe hepatic or renal disease, abnormalities that impair intestinal absorption, severe diarrhea, vomiting, marked dehydration, urinary bladder retention, partial or total gastrectomy, gastroenterostomy or pyloroplasty.

WARNINGS

The test cannot be used to demonstrate quantitative variations in the amount of free gastric hydrochloric acid known to occur clinically.

3. *Marketing status.* Marketing of such drugs may be continued under the conditions described in the notice entitled "Conditions for Marketing New Drugs Evaluated in Drug Efficacy Study," published in the FEDERAL REGISTER July 14, 1970 (35 FR 11273), as follows:

a. For holders of "deemed approved" new drug applications (i.e., an application which became effective on the basis of safety prior to October 10, 1962), the submission of a supplement for revised labeling and an abbreviated supplement for updating information as described in paragraphs (a) (1) (i) and (iii) of the notice of July 14, 1970.

b. For any person who does not hold an approved or effective new drug application, the submission of an abbreviated new drug application as described in paragraph (a) (3) (i) of that notice.

c. For any distributor of the drug, the use of labeling in accord with this announcement for any such drug shipped within the jurisdiction of the Act as described in paragraph (b) of that notice.

Communications forwarded in response to this notice should be identified with the reference number DESI 607, directed to the attention of the appropriate office listed below, and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Maryland 20852:

Supplements (Identify with NDA number):
Office of Scientific Evaluation (BD-100),
Bureau of Drugs.

Original abbreviated new drug applications (Identify as such): Generic Drug Staff (BD-69), Office of Scientific Evaluation, Bureau of Drugs.

Requests for the Academy's report: Drug Efficacy Study Information Control (BD-66), Bureau of Drugs.

All other communications regarding this announcement: Drug Efficacy Study Implementation Project Manager (BD-101), Bureau of Drugs.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355), and the Administrative Procedure Act (5 U.S.C. 554), and under the authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated September 11, 1973.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc. 73-19787 Filed 9-17-73; 8:45 am]

[DESI 9489]

CERTAIN DRUG CONTAINING TRIDIHETHYL CHLORIDE WITH PHENOBARBITAL

Drugs for Human Use; Drug Efficacy Study Implementation

In the FEDERAL REGISTER of July 27, 1972 (37 FR 15026) (DESI 597), the Food and Drug Administration published conclusions regarding the effectiveness classification for certain drugs containing an anticholinergic with a barbiturate. The drug described below intended by the NDA holder for review by the Academy was not reviewed, and, thus, not included in that notice. The available evidence having been reviewed by the Food and Drug Administration, the Commissioner of Food and Drugs finds it appropriate to publish the findings concerning the drug.

Pathlon with Phenobarbital Tablets containing tridihethyl chloride and phenobarbital; Lederle Laboratories Division, American Cyanamid Co., Pearl River, N.Y. 10965 (NDA 9-489).

Such drugs are regarded as new drugs (21 U.S.C. 321(p)). The effectiveness classification and marketing status are described below.

A. Effectiveness Classification. The Food and Drug Administration has considered the evidence available and concludes that:

1. The drug lacks substantial evidence of effectiveness for gastritis.
2. It is less than effective (possibly effective) for its other labeled indications.

B. Marketing status. 1. Within 60 days of the date of publication of this announcement in the FEDERAL REGISTER, the holder of any approved new drug application for a drug classified in paragraph A. above as lacking substantial evidence of effectiveness shall submit a supplement to his application, as needed, to provide for revised labeling which deletes those indications for which substantial evidence of effectiveness is lacking as described in paragraph A.1. Such a supplement should be

submitted under the provisions of § 130.9(d) and (e) of the new drug regulations (21 CFR 130.9(d) and (e)) which permit certain changes to be put into effect at the earliest possible time, and the revised labeling should be put into use within the 60-day period. Failure to do so will cause the product to be subject to a proposal to withdraw approval of the new drug application.

2. If any identical, similar, or related product is on the market without an approved new drug application, its labeling shall be revised to delete those claims for which substantial evidence of effectiveness is lacking as described in paragraph A.1. above. Failure to delete such indications and to put the revised labeling into use within 60 days after the date of publication hereof in the FEDERAL REGISTER will cause the product to be subject to regulatory proceedings.

C. Submission of data. Any data submitted in response to this notice to support indications for which the drug is classified as other than effective must be previously unsubmitted and include data from adequate and well-controlled clinical investigations (identified for ready review) as described in § 130.12 (a) (5) of the regulations published in the FEDERAL REGISTER of May 8, 1970 (35 FR 7250). Carefully conducted and documented clinical studies obtained under uncontrolled or partially controlled situations are not acceptable as a sole basis for approval of claims of effectiveness, but such studies may be considered on their merits for corroborative support of efficacy and evidence of safety.

Communications forwarded in response to this announcement should be identified with the reference number DESI 9489, directed to the attention of the appropriate office listed below, and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Maryland 20852:

Supplements (Identify with NDA number):
Office of Scientific Evaluation (BD-100),
Bureau of Drugs.

All other communications regarding this announcement: Drug Efficacy Study Implementation Project Office (BD-60), Bureau of Drugs.

All identical, related, or similar products, not the subject of an approved new drug application, are covered by the new drug application(s) reviewed and are subject to this notice. See 21 CFR 130.40 (37 FR 23185, October 31, 1972). Any person who wishes to determine whether a specific product is covered by this notice should write to the Food and Drug Administration, Bureau of Drugs, Office of Compliance (BD-300), 5600 Fishers Lane, Rockville, Maryland 20852.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; (21 U.S.C. 352, 355)) and the Administrative Procedure Act (5 U.S.C. 554), and under the au-

thority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated September 11, 1973.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.73-19788 Filed 9-17-73; 8:45 am]

[DESI 9363; Docket No. FDC-653; NDA No. 9-363]

COMBINATION STEROID- SYMPATHOMIMETIC NASAL SPRAY

Opportunity for Hearing on Proposal To
Withdraw Approval of New Drug Appli-
cation

Correction

In FR Doc. 73-17332, appearing at page 22500 in the issue of Tuesday, August 21, 1973, in the first column on page 22501, wherever the date "September 30, 1973" appears, it should read "September 20, 1973".

[FAP 1B2619]

FINE ORGANICS, INC.

Withdrawal of Petition for Food Additives

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (b), 72 Stat. 1786; (21 U.S.C. 348(b))), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Fine Organics, Inc., 205 Main St., Lodi, NJ 07644, has withdrawn its petition (FAP 1B2619), notice of which was published in the FEDERAL REGISTER of February 27, 1971 (36 FR 3832), proposing the issuance of a food additive regulation (21 CFR 121) to provide for the safe use of alpha phenyl indole as a heat stabilizer for rigid polyvinyl chloride articles intended for food contact use.

Dated September 7, 1973.

VIRGIL O. WODICKA,
Director, Bureau of Foods.

[FR Doc.73-19790 Filed 9-17-73; 8:45 am]

[DESI 6550; Docket No. FDC-D-650;
NDA No. 6-550]

UPJOHN CO.

Methoxyphenamine Hydrochloride; Oppor-
tunity for Hearing on Proposal To With-
draw Approval of New Drug Application

Correction

In FR Doc. 73-17333, appearing at page 22501 in the issue of Tuesday, August 21, 1973, wherever the date "September 30, 1973" appears in the document, it should read "September 20, 1973".

National Institutes of Health

LUNG CANCER SEGMENT ADVISORY GROUP

Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the

Lung Cancer Segment Advisory Group, National Cancer Institute, September 20, 1973, 8:30 a.m. to 4 p.m., National Institutes of Health, Building 37, Conference Room 1B04. This meeting will be open to the public from 2:00 to 4:00 p.m. to discuss possible new activities of the Lung Cancer Segment and closed to the public from 8:30 to 2:00 p.m. to discuss and review four contracts and one unsolicited proposal in the field of lung cancer in accordance with the provisions set forth in section 552(b)4 of Title 5, U.S. Code and section 10(d) of P.L. 92-463. Attendance by the public will be limited to space available.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1911) will furnish summaries of the open/closed meeting and roster of committee members.

Dr. Carl E. Smith, Executive Secretary, Landow Building, Room A-306 National Institutes of Health, Bethesda, Maryland 20014 (301/496-5471) will provide substantive program information.

JOHN F. SHERMAN,
Deputy Director, NIH.

SEPTEMBER 10, 1973.

[FR Doc.73-19783 Filed 9-17-73; 8:45 am]

WORKING GROUP ON BIOCHEMISTRY

Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Working Group on Biochemistry of the Multiple Sclerosis ad hoc Scientific Advisory Committee, September 26 and 27, 1973, at 9 a.m., in Room 8A03, Building 31A, National Institutes of Health, Bethesda, Maryland. This meeting will be closed to the public to review, discuss and evaluate and/or rank research proposals on Multiple Sclerosis in accordance with the provisions set forth in section 552(b)4 of Title V, U.S. Code and section 10(d) of P.L. 92-463.

1. The Institute Information Officer who will furnish summaries of the meeting and rosters of committee members is: Mrs. Ruth Dudley, Building 31, Room 8A03, phone: 496-5751.

2. The Executive Director from whom substantive program information may be obtained is: Dr. Harry M. Weaver, Room 8A11, Building 31A, NIH, phone: 496-3523.

Dated September 10, 1973.

JOHN F. SHERMAN,
Deputy Director, NIH.

[FR Doc.73-19782 Filed 9-17-73; 8:45 am]

WORKING GROUP ON CLINICAL STUDIES

Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Working Group on Clinical Studies of the Multiple Sclerosis ad hoc Scientific Advisory Committee, September 24

and 25, 1973, at 9:00 a.m., in Room 8A03, Building 31A, National Institutes of Health, Bethesda, Maryland. This meeting will be closed to the public to review, discuss and evaluate and/or rank research proposals on Multiple Sclerosis in accordance with the provisions set forth in section 552(b)4 of Title V, US Code and section 10(d) of P.L. 92-463.

1. The Institute Information Officer who will furnish summaries of the meeting and rosters of committee members is: Mrs. Ruth Dudley, Building 31, Room 8A03, phone: 496-5751.

2. The Executive Director from whom substantive program information may be obtained is: Dr. Harry M. Weaver, Room 8A11, Building 31A, NIH, phone: 496-3523.

Dated September 10, 1973.

JOHN F. SHERMAN,
Deputy Director, NIH.

[FR Doc.73-19780 Filed 9-17-73; 8:45 am]

WORKING GROUP ON IMMUNOLOGY

Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Working Group on Immunology of the Multiple Sclerosis ad hoc Scientific Advisory Committee, September 28 and 29, 1973, at 9 a.m., in Room 8A03, Building 31A, National Institutes of Health, Bethesda, Maryland. This meeting will be closed to the public to review, discuss and evaluate and/or rank research proposals on Multiple Sclerosis in accordance with the provisions set forth in section 552(b)4 of Title V, US Code and section 10(d) of P.L. 92-463.

1. The Institute Information Officer who will furnish summaries of the meeting and rosters of committee members is: Mrs. Ruth Dudley, Building 31, Room 8A03, phone: 496-5751.

2. The Executive Director from whom substantive program information may be obtained is: Dr. Harry M. Weaver, Room 8A11, Building 31A, NIH, phone: 496-3523.

Dated September 10, 1973.

JOHN F. SHERMAN,
Deputy Director, NIH.

[FR Doc.73-19779 Filed 9-17-73; 8:45 am]

WORKING GROUP ON PHARMACOLOGY

Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Working Group on Pharmacology of the Multiple Sclerosis ad hoc Scientific Advisory Committee, September 21 and 22, 1973, at 9:00 A.M., in Room 8A03, Building 31A, National Institutes of Health, Bethesda, Maryland. This meeting will be closed to the public to review, discuss and evaluate and/or rank research proposals on Multiple Sclerosis in accordance with the provisions set forth in section 552(b)4 of Title V, US Code and section 10(d) of P.L. 92-463.

1. The Institute Information Officer who will furnish summaries of the meeting and rosters of committee members is: Mrs. Ruth Dudley, Building 31, Room 8A03, phone: 496-5751.

2. The Executive Director from who substantive program information may be obtained is: Dr. Harry M. Weaver, Room 8A11, Building 31A, NIH, phone: 496-3523.

Dated September 10, 1973.

JOHN F. SHERMAN,
Deputy Director, NIH.

[FR Doc.73-19781 Filed 9-17-73;8:45 am]

Office of the Secretary

IMPLEMENTATION OF THE NATIONAL BLOOD POLICY

Notice of Public Meeting

Notice is hereby given that the public is invited to attend the Secretary's Conference on the Implementation of the National Blood Policy, Monday, September 24, 1973. The meeting is to be held on the sixth floor of "C" Wing, Building 31, National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland 20014. Vehicular parking will be available but attendees of the Conference should check with the NIH parking authorities for directions to the reserved parking area.

Attendees should plan to arrive at 9:00 a.m. for registration prior to commencement of the meeting at 9:30 a.m. Registration is intended to facilitate provision of additional information to interested parties.

The agenda for the Conference will be provided in advance of the meeting upon receipt of request by either mail or telephone. To facilitate the planning of the Conference it will be appreciated if those who believe they will attend the Conference will provide notice of same, by mail or by telephone, as soon as possible, to Dr. Ian Mitchell, Office of the Assistant Secretary for Health, Department of Health, Education, and Welfare, Room 4619, 330 Independence Avenue SW., Washington, D.C. 20201, telephone 202-962-6976. However, we seek the fullest possible participation by the public, whether or not attendees can provide prior notification.

IAN A. MITCHELL,
Acting Director, Office of Special Health Projects, Office of the Assistant Secretary for Health.

SEPTEMBER 12, 1973.

[FR Doc.73-19885 Filed 9-17-73;8:45 am]

NATIONAL PROFESSIONAL STANDARDS REVIEW COUNCIL SUBCOMMITTEE ON DATA AND NORMS

Notice of Meeting

The National Professional Standards Review Council Subcommittee on Data and Norms will meet on September 26-27, 1973. This Subcommittee was formed

to review issues of importance in the implementation of Title XI, Part B, Social Security Act with respect to PSRO data and norms of care. The meeting will be held at the Rowway Inn, Salt Lake City, Utah from 9 a.m. to 5 p.m. on September 26 and 9 a.m. to 3 p.m. on September 27. Professional standards review is the procedure to assure that the services for which payment may be made under the Social Security Act are medically necessary and conform to appropriate professional standards for the provision of quality care. The Subcommittee's agenda will consist of issues relating to uniform data and the coding of medical information. The meeting is open to the public.

Dated September 11, 1973.

WILLIAM I. BAUER,
Executive Secretary, National Professional Standards Review Council.

[FR Doc.73-19809 Filed 9-17-73;8:45 am]

NATIONAL PROFESSIONAL STANDARDS REVIEW COUNCIL SUBCOMMITTEE ON POLICY DEVELOPMENT

Notice of Meeting

The National Professional Standards Review Council Subcommittee on Policy Development will meet on Saturday, October 6, 1973. This Subcommittee was formed to review policy issues of importance in the implementation of Title XI, Part B, Social Security Act. The meeting will be held at the Chicago Marriott Motor Hotel, 8535 W. Higgins Road, Chicago, Illinois, 9 a.m. to 3 p.m. Professional standards review is the procedure to assure that the services for which payment may be made under the Social Security Act are medically necessary and conform to appropriate professional standards for the provision of quality care. The Subcommittee's agenda will include timely policy issues. The meeting is open to the public.

Dated September 11, 1973.

WILLIAM I. BAUER,
Executive Secretary, National Professional Standards Review Council.

[FR Doc.73-19810 Filed 9-17-73;8:45 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD 73-211N]

BOATING SAFETY ADVISORY COUNCIL

Notice of Open Meeting

This is to give notice pursuant to the Federal Advisory Committee Act, section 10(a) (2) dated October 6, 1972, that the Boating Safety Advisory Council, U.S. Coast Guard will conduct an open meeting on Tuesday and Wednesday, October 30 and 31, 1973, in Room 3201, Buzzards Point Building, 2100 2nd Street SW., Washington, D.C. beginning at 9 a.m.

The Boating Safety Advisory Council is a 21-member Council authorized by Section 33 of the Federal Boat Safety Act of 1971. The Council must be consulted by the Coast Guard in establishing a need for formulating and prescribing regulations which establish minimum safety standards for boats and associated equipment. In addition, the Coast Guard is required to consult with the Council on any other major boat safety matters related to the Act.

The agenda for the October 30 and 31 meeting consists of the following:

Beginning at 9 a.m. on Tuesday, October 30, there will be a report on the status of proposed regulations followed by an update on the Standards Compliance and Defect Notification Programs; a briefing on the proposed Fuel and Electrical Standard; a boating education and promotion activities presentation; and a report on the Visual Distress Signals Study. Items of interest suggested by the membership will also be discussed.

Any member of the public who wishes to do so may file a written statement with the committee, before or after the meeting, or may present an oral statement with the advance approval of the Chairman.

Interested persons may request additional information concerning the October 30 and 31 meeting and other matters relating to the Boating Safety Advisory Council (pursuant to the Federal Advisory Committee Act, Section 10(b) dated October 6, 1972) from the Executive Director, Boating Safety Advisory Council, U.S. Coast Guard Headquarters (GBR/62) Washington, D.C. 20590 or by calling 202/426-4176.

Dated September 7, 1973.

JOHN F. THOMPSON,
Chief, Office of Boating Safety.

[FR Doc.73-19749 Filed 9-17-73;8:45 am]

[CGD 73-205N]

EQUIPMENT, CONSTRUCTION, AND MATERIALS

Approval Notice

1. Certain laws and regulations (46 CFR Chapter I) require that various items of lifesaving, firefighting and miscellaneous equipment, construction, and materials used on board vessels subject to Coast Guard inspection, on certain motorboats and other recreational vessels, and on the artificial islands and fixed structures on the outer Continental Shelf be of types approved by the Commandant, U.S. Coast Guard. The purpose of this document is to notify all interested persons that certain approvals have been granted as herein described during the period from April 25, 1973 to June 4, 1973 (List No. 14-73). These actions were taken in accordance with the procedures set forth in 46 CFR 2.75-1 to 2.75-50.

2. The statutory authority for equipment, construction, and material approvals is generally set forth in sections 367, 375, 390b, 416, 481, 489, 526p, and

1333 of Title 46, United States Code, section 1333 of Title 43, United States Code, and section 198 of Title 50, United States Code. The Secretary of Transportation has delegated authority to the Commandant, U.S. Coast Guard with respect to these approvals (49 CFR 1.46(b)). The specifications prescribed by the Commandant, U.S. Coast Guard are set forth in 46 CFR Parts 160 to 164.

3. The approvals listed in this document shall be in effect for a period of 5 years from the date of issuance, unless sooner cancelled or suspended by proper authority.

LADDERS, EMBARKATION-DEBARKATION (FLEXIBLE), FOR MERCHANT VESSELS

Approval No. 160.017/46/0, Type I, embarkation-debarkation ladder, rope suspension, wooden ears and rungs, Sea Jay Type I Pilot Ladder, identified by dwg. Nos. CJH/PL/T1 and CJH/PL/F, dated April 18, 1972, this ladder has an optional fender section using molded rubber steps, in accordance with dwg. No. CJH/PL/F, manufactured by C. J. Hendry Company, 139 Townsend Street, San Francisco, California 94107, effective May 25, 1973.

LIFEBOATS

Approval No. 160.035/428/1, 24.0' x 8.0' x 3.58' fibrous glass reinforced plastic (FRP) motor-propelled Class 1, lifeboat, 37-person capacity identified by construction and arrangement dwg. No. WBA-9029 Rev. "B" dated February 13, 1973, 46 CFR 160.035-13(c) Marking. Weights: Condition "A"=3,690 pounds; Condition "B"=10,637 pounds, manufactured by Welin Davit and Boat Division, Lake Shore, Inc., 3614 Kennedy Road, South Plainfield, New Jersey 07080, effective June 4, 1973. (It reinstates and supersedes Approval No. 160.035/428/0 terminated February 16, 1967.)

PRESSURE VACUUM RELIEF VALVES AND SPILL VALVES FOR TANK VESSELS

Approval No. 162.017/47/1, figure No. 37 duplex pressure vacuum relief valve, enclosed pattern, without unloader, weight-loaded poppets, all bronze construction, dwg. No. C-495-D, revision D dated April 16, 1953, approved for 4" tank connection and 6" victaulic vent header connection (4" x 6"), manufactured by Varec, Inc., 2820 North Alameda Street, P.O. Box 4429, Compton, California 90223, effective May 21, 1973. (It is an extension of Approval No. 162.017/47/1 dated June 6, 1968.)

Approval No. 162.017/48/1, figure No. 37A duplex pressure vacuum relief valve, enclosed pattern fitted with vacuum valve unloader, weight-loaded poppets, all bronze construction, dwg. No. C-495-D, revision D dated April 16, 1953, approved for 4" tank connection and 6" victaulic vent header connection (4" x 6"), manufactured by Varec, Inc., 2820 North Alameda Street, P.O. Box 4429, Compton, California 90223, effective May 21, 1973. (It is an extension of Approval No. 162.017/48/1 dated June 6, 1968.)

Approval No. 162.017/49/1, figure No. 37B duplex pressure vacuum relief valve, enclosed pattern, fitted with pressure valve unloader, weight-loaded poppets, all bronze construction, dwg. No. C-495-D, revision D dated April 16, 1953, approved for 4" tank connection and 6" victaulic vent header connection (4" x 6"), manufactured by Varec, Inc., 2820 North Alameda Street, Compton, California 90223, effective May 21, 1973. (It is an extension of Approval No. 162.017/49/1 dated June 6, 1968.)

Approval No. 162.017/50/1, figure No. 73 pressure only relief and spill valve, atmospheric pattern, flanged connection, weight-loaded poppet, all bronze construction, dwg. No. C-503-C, revision C dated October 2, 1952, approved for 3" and 6" pipe sizes, manufactured by Varec, Inc., 2820 North Alameda Street, P.O. Box 4429, Compton, California 90223, effective May 21, 1973. (It is an extension of Approval No. 162.017/50/1 dated June 6, 1968.)

Approval No. 162.017/51/1, figure No. 73A pressure only relief and spill valve, atmospheric pattern, screwed connection, weight-loaded poppet, all bronze construction, dwg. No. C-503-C, revision C dated October 2, 1952, approved for 3" and 6" pipe sizes, manufactured by Varec, Inc., 2820 North Alameda Street, P.O. Box 4429, Compton, California 90223, effective May 21, 1973. (It is an extension of Approval No. 162.017/51/1 dated June 6, 1968.)

Approval No. 162.017/71/0, figure No. 732 pressure vacuum relief valve, atmospheric pattern, screwed connection, weight-loaded poppets, all bronze construction, dwg. No. C-1809 dated April 2, 1952, approved for 2½", 3", and 4" pipe sizes, manufactured by Varec, Inc., 2820 North Alameda Street, P.O. Box 4429, Compton, California 90223, effective May 21, 1973. (It is an extension of Approval No. 162.017/71/0 dated June 6, 1968.)

Approval No. 162.017/72/0, figure No. 734 pressure vacuum relief valve, enclosed pattern, without unloader, weight-loaded poppets, all bronze construction, dwg. No. C-1801-A, revision A dated May 13, 1952, approved for 4" pipe size, manufactured by Varec, Inc., 2820 North Alameda Street, P.O. Box 4429, Compton, California 90223, effective May 21, 1973. (It is an extension of Approval No. 162.017/72/0 dated June 11, 1968.)

Approval No. 162.017/73/0, figure No. 734A pressure vacuum relief valve, enclosed pattern, fitted with vacuum valve unloader, weight-loaded poppets, all bronze construction, dwg. No. C-1807-A, revision A dated May 13, 1952, approved for 4" pipe, manufactured by Varec, Inc., 2820 North Alameda Street, P.O. Box 4429, Compton, California 90223, effective May 21, 1973. (It is an extension of Approval No. 162.017/73/0 dated June 11, 1968.)

Approval No. 162.017/74/0, figure No. 734B pressure vacuum relief valve, enclosed pattern, fitted with pressure valve

unloader, weight-loaded poppets, all bronze construction, dwg. No. C-1808-A, revision A dated May 13, 1952, approved for 4" pipe size, manufactured by Varec, Inc., 2820 North Alameda Street, P.O. Box 4429, Compton, California 90223, effective May 21, 1973. (It is an extension of Approval No. 162.017/74/0 dated June 11, 1968.)

Approval No. 162.017/75/1, figure No. 735 pressure vacuum relief valve, atmospheric pattern, flanged inlet, weight-loaded poppets, all bronze construction, dwg. No. C-1810, dated April 3, 1952, approved for 2½", 3" and 4" pipe sizes, manufactured by Varec, Inc., 2820 North Alameda Street, P.O. Box 4429, Compton, California 90223, effective May 21, 1973. (It is an extension of Approval No. 162.017/75/1 dated June 11, 1968.)

Approval No. 162.017/76/2, figure No. 735A pressure vacuum relief valve, atmospheric pattern, screwed connection, weight-loaded poppets, all bronze construction, dwg. No. C-1810 dated April 3, 1952, approved for 2½", 3" and 4" pipe sizes, manufactured by Varec, Inc., 2820 North Alameda Street, P.O. Box 4429, Compton, California 90223, effective May 21, 1973. (It supersedes Approval No. 162.017/76/1 dated June 11, 1968 to show approval of 3" size.)

Approval No. 162.017/102/0, figure 360G Vacuum Relief Valve, weight-loaded poppet, ASTM A-351 Grade CF-8 Stainless Steel, is approved for use as a Vacuum Relief Valve only (4" size), manufactured by Varec, Inc., 301 East Alondra Boulevard, Gardena, California 90247, effective May 22, 1973. (It supersedes Approval No. 162.017/102/0 dated May 23, 1968.)

Approval No. 162.017/114/0, 4" pressure only relief valve, Model No. X94030-04-01/SPR 9403-3 body material, ASTM B-62 bronze, stainless steel trim, lead weight loaded pallet, maximum pressure 2.5 p.s.i.g., capacities as shown on dwg. No. 9403-00450, Rev. B, also approved for use in inerted spaces aboard Todd Houston, Hull 587 (Massachusetts), (see GMMT-2 letter of 4-4-73), manufactured by GPE Controls, Inc., 6511 Oakton Street, Morton Grove, Illinois 60053, effective April 25, 1973.

INCOMBUSTIBLE MATERIALS FOR MERCHANT VESSELS

Approval No. 164.009/169/0, U.S. Gypsum's "Thermafiber Number 10 Granulated Wool" identical to that described in U.S. Gypsum's letter dated May 10, 1973, manufactured by United States Gypsum Company, 1000 East Northwest Highway, Des Plaines, Illinois 60018, plant locations: Wabash, Indiana; Torrance, California; Corsicana, Texas; South Plainfield, New Jersey, effective June 1, 1973.

Dated September 11, 1973.

D. H. CLIFTON,
Captain, U.S. Coast Guard, Acting
Chief, Office of Merchant
Marine Safety.

[FR Doc. 73-19757 Filed 9-17-73; 8:45 am]

[CGD 73-206N]

EQUIPMENT, CONSTRUCTION, AND MATERIALS**Termination of Approval Notice**

1. Certain laws and regulations (46 CFR Chapter I) require that various items of lifesaving, firefighting and miscellaneous equipment, construction, and materials used on board vessels subject to Coast Guard inspection, on certain motorboats and other recreational vessels, and on the artificial islands and fixed structures on the outer Continental Shelf be of types approved by the Commandant, U.S. Coast Guard. The purpose of this document is to notify all interested persons that certain approvals have been terminated as herein described during the period from May 25, 1973 to June 18, 1973 (List No. 15-73). These actions were taken in accordance with the procedures set forth in 46 CFR 2.75-1 to 2.75-50.

2. The statutory authority for equipment, construction, and material approvals is generally set forth in sections 367, 375, 390b, 416, 481, 489, 526p, and 1333 of Title 46, United States Code, section 1333 of Title 43, United States Code, and section 198 of Title 50, United States Code. The Secretary of Transportation has delegated authority to the Commandant, U.S. Coast Guard with respect to these approvals (49 CFR 1.46(b)). The specifications prescribed by the Commandant, U.S. Coast Guard for certain types of equipment, construction, and materials are set forth in 46 CFR Parts 160 to 164.

3. Notwithstanding the termination of approval listed in this document, the equipment affected may be used as long as it remains in good and serviceable condition.

LADDERS, EMBARKATION — DEBARKATION (FLEXIBLE), FOR MERCHANT VESSELS

The Maryatt, Lane & Company, Inc. And it's Division, Great Bend Manufacturing Corporation, 234 Godwin Avenue, Paterson, New Jersey 07501, Approval No. 160.017/11/2 expired and was terminated effective June 18, 1973.

LIFEBOATS

The Whittaker Corporation, 5159 Baltimore Drive, La Mesa, California 92042, no longer manufactures certain lifeboats and Approval No. 160.035/454/0 was therefore terminated effective June 15, 1973.

The Lane Lifeboat & Davit Corporation, 150 Sullivan Street, Brooklyn, New York 11231, Approval No. 160.035/456/0 expired and was terminated effective June 18, 1973.

BUOYANT CUSHIONS, KAPOK, OR FIBEROUS GLASS

The Outdoor Supply Company, Inc., Oxford, North Carolina 27565, no longer manufactures certain kapok buoyant cushions for J. C. Penney Company, Inc., 1301 Avenue of the Americas, New York, New York 10019 and Approval No. 160.048/255/0 was therefore terminated effective May 25, 1973.

BUOYS, LIFE, RING, UNICELLULAR PLASTIC

The Outdoor Supply Company, Inc., 8 Industry Drive, Oxford, North Carolina 27565, no longer manufactures certain unicellular plastic ring life buoys and Approval Nos. 160.050/65/0, 160.050/66/0 and 160.050/67/0 were therefore terminated effective June 18, 1973.

The Outdoor Supply Company, Inc., 8 Industry Drive, Oxford, North Carolina 27565, no longer manufactures certain unicellular plastic ring life buoys for Campeo Ventures, Inc., P.O. Box 49, 1891 Woolner Avenue, Fairfield, California 94533 and Approval Nos. 160.050/68/0, 160.050/69/0 and 160.050/70/0 were therefore terminated effective June 18, 1973.

Dated September 11, 1973.

D. H. CLIFTON,
Captain, U.S. Coast Guard, Acting Chief, Office of Merchant Marine Safety.

[FR Doc. 73-19753 Filed 9-17-73; 8:45 am]

[CGD 73-207N]

EQUIPMENT, CONSTRUCTION, AND MATERIALS**Approval Notice**

1. Certain laws and regulations (46 CFR Chapter I) require that various items of lifesaving, firefighting and miscellaneous equipment, construction, and materials used on board vessels subject to Coast Guard inspection, on certain motorboats and other recreational vessels, and on the artificial islands and fixed structures on the outer Continental Shelf be of types approved by the Commandant, U.S. Coast Guard. The purpose of this document is to notify all interested persons that certain approvals have been granted as herein described during the period from June 12, 1973 to June 26, 1973 (List No. 16-73). These actions were taken in accordance with the procedures set forth in 46 CFR 2.75-1 to 2.75-50.

2. The statutory authority for equipment, construction, and material approvals is generally set forth in sections 367, 375, 390b, 416, 481, 489, 526p, and 1333 of Title 46, United States Code, section 1333 of Title 43, United States Code and section 198 of Title 50, United States Code. The Secretary of Transportation has delegated authority to the Commandant, U.S. Coast Guard with respect to these approvals (49 CFR 1.46(b)). The specifications prescribed by the Commandant, U.S. Coast Guard for certain types of equipment, construction, and materials are set forth in 46 CFR Parts 160 to 164.

3. The approvals listed in this document shall be in effect for a period of 5 years from the date of issuance, unless sooner cancelled or suspended by proper authority.

SIGNALS, DISTRESS, HAND RED FLARE, FOR MERCHANT VESSELS

Approval No. 160.021/15/0, Bristol Marine hand red flare distress signal, 500 candlepower, 2 minutes burning time, dwg. No. 506, revised May 14, 1958, manu-

factured by Bristol Flare Corporation, P.O. Box 540, State Road, Bristol, Pennsylvania 19007, for Dolphin Paint & Chemical Company, 922 Locust Street, Toledo, Ohio 43403, effective June 26, 1973.

LIFEBOATS

Approval No. 160.035/439/5, 12.0', x 4.42' x 1.75' oar-propelled F.R.P. lifeboat, 4-person capacity, identified by construction and arrangement drawing 12-5, Rev. C dated March 23, 1970, alternate arrangement identified by general arrangement drawing No. 12-5-SL, Rev. B dated May 25, 1973, 46 CFR 160.035-13(c) Marking, Weights: Condition "A"—319 pounds; Condition "B"—1,071 pounds, approved for use on vessels in bays, sounds, and lakes; and river service, if mechanical disengaging apparatus is fitted, it shall be of an approved type and installed in accordance with drawings approved by the Commandant, approved for 6-person capacity as replacement lifeboat, manufactured by Marine Safety Equipment Corporation, Foot of Wycoff Road, Farmingdale, New Jersey 07727, effective June 21, 1973. (It supersedes Approval No. 160.035/439/4 dated March 31, 1970 to show alternate construction.)

SIGNALS, DISTRESS, HAND, ORANGE SMOKE FOR MERCHANT VESSELS

Approval No. 160.037/10/0, Bristol Marine hand held orange smoke signal, Bristol dwg. No. 600, revised June 2, 1958, manufactured by Bristol Flare Corporation, P.O. Box 540, State Road, Bristol, Pennsylvania 19007, for Dolphin Paint & Chemical Company, 922 Locust Street, Toledo, Ohio 43603, effective June 26, 1973.

SPECIAL PURPOSE WATER SAFETY BUOYANT DEVICES

Approval No. 160.064/25/1, Model No. 8404, vinyl dipped unicellular plastic foam "Man Overboard Buoy", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL report file No. MQ 7, manufactured by Atlantic-Pacific Manufacturing Corporation, 124 Atlantic Avenue, Brooklyn, New York 11201, effective June 19, 1973. (It supersedes Approval No. 160.064/25/0 dated June 22, 1972.)

Approval No. 160.064/394/0, adult S/M, Model No. 100D, cloth covered unicellular plastic foam "Sailor's Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 47, Type III PFD, manufactured by Cut 'N' Jump Ski Corporation, 11525 Sorrento Valley Road, San Diego, California 92121, effective June 19, 1973. (It supersedes Approval No. 160.064/394/0 dated December 7, 1972 to show modification of intended use.)

Approval No. 160.064/396/0, adult L/XL, Model No. 100F, cloth covered unicellular plastic foam "Sailor's Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 47, Type III PFD, manufactured by Cut 'N' Jump Ski Corporation, 11525 Sorrento Valley Road, San Diego, California 92121,

effective June 19, 1973. (It supersedes Approval No. 160.064/396/0 dated December 7, 1972 to show modification of intended use.)

Approval No. 160.064/424/0, adult S/M, Model No. 100DM, vinyl dipped unicellular plastic foam "Sailor's Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 32, Type III PFD, manufactured by Cut 'N' Jump Ski Corporation, 11525 Sorrento Valley Road, San Diego, California 92121, for Mermatec, Inc., 11525 Sorrento Valley Road, San Diego, California 92121 effective June 19, 1973. (It supersedes Approval No. 160.064/424/0 dated December 22, 1972 to show modification of intended use.)

Approval No. 160.064/425/0, adult L/XL, Model 100FM, vinyl dipped unicellular plastic foam "Sailor's Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 32, Type III PFD, manufactured by Cut 'N' Jump Ski Corporation, 11525 Sorrento Valley Road, San Diego, California 92121, for Mermatec, Inc., 11525 Sorrento Valley Road, San Diego, California 92121 effective June 19, 1973. (It supersedes Approval No. 160.064/425/0 dated December 22, 1972 to show modification of intended use.)

Approval No. 160.064/477/0, adult medium, Model No. YVS/M, cloth covered unicellular plastic foam "Sailor's Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 31, Type III PFD, manufactured by Cut 'N' Jump Ski Corporation, 11525 Sorrento Valley Road, San Diego, California 92121, for Taperflex of America, 558 Library Street, San Fernando, California 91341, effective June 19, 1973.

Approval No. 160.064/478/0, adult X-large, Model No. YVL/XL, cloth covered unicellular plastic foam "Sailor's Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 31, Type III PFD, manufactured by Cut 'N' Jump Ski Corporation, 11525 Sorrento Valley Road, San Diego, California 92121, for Taperflex of America, 558 Library Street, San Fernando, California 91341, effective June 19, 1973.

Approval No. 160.064/479/0, adult medium, Model No. SVS/M, cloth covered unicellular plastic foam "Sportsman Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 31, Type III PFD, manufactured by Cut 'N' Jump Ski Corporation, 11525 Sorrento Valley Road, San Diego, California 92121, for Taperflex of America, 558 Library Street, San Fernando, California 91341, effective June 19, 1973.

Approval No. 160.064/480/0, adult X-large, Model No. SVL/XL, cloth covered unicellular plastic foam "Sportsman Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 31, Type III PFD, manufactured by Cut

'N' Jump Ski Corporation, 11525 Sorrento Valley Road, San Diego, California 92121, for Taperflex of America, 558 Library Street, San Fernando, California 91341, effective June 19, 1973.

RELIEF VALVES (HOT WATER HEATING BOILERS)

Approval No. 162.013/35/0, Type No. 174A relief valve for hot water heating boilers, approved for sizes and relieving capacities shown below:

Inlet size (male or female) inches	Relieving capacity (Btu per hour at 30 p.s.i.)	Inlet size (male or female) inches	Relieving capacity (Btu per hour at 30 p.s.i.)
3/4	650,000	1 1/4	2,020,000
1	1,005,000	2	3,815,000
1 1/4	1,865,000		

manufactured by Watts Regulator Company, Lawrence, Massachusetts 01842, effective June 12, 1973. (It supersedes Approval No. 162.013/35/0 dated July 23, 1968.)

Approval No. 162.013/37/0, type No. 740 relief valve for hot water heating boilers, approved for sizes and relieving capacities shown below:

Inlet size (male or female) inches	Relieving capacity (Btu per hour at 30 p.s.i.)	Inlet size (male or female) inches	Relieving capacity (Btu per hour at 30 p.s.i.)
3/4	895,000	1 1/4	2,900,000
1	1,300,000	2	5,250,000
1 1/4	2,165,000		

manufactured by Watts Regulator Company, Lawrence, Massachusetts 01842, effective June 14, 1973.

GAUGING DEVICES, LIQUID LEVEL, LIQUEFIED COMPRESSED GAS

Approval No. 162.019/35/0, magnetic gauging device, stainless steel components, Dwg. No. B-630 dated June 16, 1968 and accompanying Bill of Materials B-630, low temperature applications (below 0°F) shall be constructed of suitable materials in accordance with 46 CFR Part 56, impact test results when required shall be available to the cognizant Officer in Charge, Marine Inspection, manufactured by Midland Manufacturing Corporation, 7733 Gross Point Road, Skokie, Illinois 60076, effective June 20, 1973. (It is an extension of Approval No. 162.019/35/0 dated July 9, 1968.)

BACKFIRE FLAME CONTROL, GASOLINE ENGINES; FLAME ARRESTERS; FOR MERCHANT VESSELS AND MOTORBOATS

Approval No. 162.041/170/0, Kawasaki Model Y73 backfire flame arrester, cast aluminum housing, stainless steel arrester cover, brass flame arresting grid, manufactured by Kawasaki Motors Corporation, 1062 McGaw Avenue, P.O. Box 11447, Santa Ana, California 92711, effective June 12, 1973.

BACKFIRE FLAME CONTROL, GASOLINE ENGINES; ENGINE AIR AND FUEL INDUCTION SYSTEMS; FOR MERCHANT VESSELS AND MOTORBOATS

Approval No. 162.042/5/0, OMC 9 1/2 H.P. powerhead, OMC Model MV-10S, fuel induction arrangement provides backfire flame protection equivalent to that of an effective backfire flame arrester, uses Reed Valve Air Induction, manufactured by Outboard Marine Corporation, 300 Sea-Horse Drive, Waukegan, Illinois 60085, effective June 12, 1973. (It is an extension of Approval No. 162.042/5/0 dated July 24, 1968 and change of address of manufacturer.)

Dated September 11, 1973.

D. H. CLIFTON,
Captain, U.S. Coast Guard, Acting
Chief, Office of Merchant
Marine Safety.

[FR Doc. 73-19752 Filed 9-17-73; 8:45 am]

[CGD 73-208N]

EQUIPMENT, CONSTRUCTION, AND MATERIALS

Approval Notice

1. Certain laws and regulations (46 CFR Chapter I) require that various items of lifesaving, firefighting and miscellaneous equipment, construction, and materials used on board vessels subject to Coast Guard inspection, on certain motorboats and other recreational vessels, and on the artificial islands and fixed structures on the outer Continental Shelf be of types approved by the Commandant, U.S. Coast Guard. The purpose of this document is to notify all interested persons that certain approvals have been granted as herein described during the period from June 28, 1973 to July 11, 1973 (List No. 17-73). These actions were taken in accordance with the procedures set forth in 46 CFR 2.75-1 to 2.75-50.

2. The statutory authority for equipment, construction, and material approvals is generally set forth in sections 367, 375, 390b, 416, 481, 489, 526p, and 1333 of Title 46, United States Code, section 1333 of Title 43, United States Code, and section 198 of Title 50, United States Code. The Secretary of Transportation has delegated authority to the Commandant, U.S. Coast Guard with respect to these approvals (49 CFR 1.46(b)). The specifications prescribed by the Commandant, U.S. Coast Guard for certain types of equipment, construction, and materials are set forth in 46 CFR Parts 160 to 164.

3. The approvals listed in this document shall be in effect for a period of 5 years from the date of issuance, unless sooner cancelled or suspended by proper authority.

SIGNALS, DISTRESS, HAND RED FLARE, FOR MERCHANT VESSELS

Approval No. 160.021/4/2, Bristol Marine hand red flare distress signal, 500 candlepower, 2 minutes burning time,

dwg. No. 506 revised May 14, 1958, manufactured by Bristol Flare Corporation, State Road, Bristol, Pennsylvania 19007, effective July 3, 1973. (It is an extension of Approval No. 160.021/4/2 dated September 3, 1968.)

LIFE PRESERVERS, UNICELLULAR PLASTIC FOAM ADULT AND CHILD FOR MERCHANT VESSELS

Approval No. 160.055/85/0, Type IA, Model 62, adult vinyl dip coated unicellular plastic foam life preserver, U.S.C.G. Specification Subpart 160.055 and dwg. No. 160.055-IA (sheets 1 and 2), Type I PFD, manufactured by Goodenow Manufacturing, 1301 West 18th Street, Erie, Pennsylvania 16501, effective July 3, 1973. (It is an extension of Approval No. 160.055/85/0 dated September 18, 1968.)

Approval No. 160.055/86/0, Type IA, Model 66, child vinyl dip coated unicellular plastic foam life preserver, U.S.C.G. Specification Subpart 160.055 and dwg. No. 160.055-IA (sheets 1 and 2), Type I PFD, manufactured by Goodenow Manufacturing, 1301 West 18th Street, Erie, Pennsylvania 16501, effective July 3, 1973. (It is an extension of Approval No. 160.055/86/0 dated September 18, 1968.)

SPECIAL PURPOSE WATER SAFETY BUOYANT DEVICES

Approval No. 160.064/485/0, adult X-large, Model No. 12.06.70.8, cloth covered unicellular plastic foam "Buoyant Sports Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 172, Type III Personal Flotation Device, manufactured by Plastimo S.A., 15, Rue Ingenieur Verrieae 56100, Lorient, France, effective July 11, 1973.

Approval No. 160.064/486/0, adult large, Model No. 12.06.60.9, cloth covered unicellular plastic foam "Buoyant Sports Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 172, Type III Personal Flotation Device, manufactured by Plastimo S.A., 15, Rue Ingenieur Verrieae 56100, Lorient, France, effective July 11, 1973.

Approval No. 160.064/487/0, adult medium, Model No. 12.06.50.9, cloth covered unicellular plastic foam "Buoyant Sports Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 172, Type III Personal Flotation Device, manufactured by Plastimo S.A., 15, Rue Ingenieur Verrieae 56100, Lorient, France, effective July 11, 1973.

Approval No. 160.064/488/0, child medium, Model No. 12.06.40.5, cloth covered unicellular plastic foam "Buoyant Sports Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 172, Type III Personal Flotation Device, manufactured by Plastimo S.A., 15, Rue Ingenieur Verrieae 56100, Lorient, France, effective July 11, 1973.

Approval No. 160.064/489/0, child medium, Model No. 12.06.30.8, cloth covered unicellular plastic foam "Buoyant Sports Vest", manufactured in accordance with

U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 172, Type III Personal Flotation Device, manufactured by Plastimo S.A., 15, Rue Ingenieur Verrieae 56100, Lorient, France, effective July 11, 1973.

Approval No. 160.064/490/0, adult X-large, Model No. F-70, cloth covered unicellular plastic foam "Buoyant Sport Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 172, Type III Personal Flotation Device, manufactured by Plastimo S.A., 15, Rue Ingenieur Verrieae 56100, Lorient, France for Omega Marketing, Inc., 203 Pleasant Street, Marblehead, Massachusetts 01945, effective July 11, 1973.

Approval No. 160.064/491/0, adult large, Model No. F-60, cloth covered unicellular plastic foam "Buoyant Sport Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 172, Type III Personal Flotation Device, manufactured by Plastimo S.A., 15, Rue Ingenieur Verrieae 56100, Lorient, France for Omega Marketing, Inc., 203 Pleasant Street, Marblehead, Massachusetts 01945, effective July 11, 1973.

Approval No. 160.064/492/0, adult medium, Model No. F-50, cloth covered unicellular plastic foam "Buoyant Sport Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 172, Type III Personal Flotation Device, manufactured by Plastimo S.A., 15, Rue Ingenieur Verrieae 56100, Lorient, France for Omega Marketing, Inc., 203 Pleasant Street, Marblehead, Massachusetts 01945, effective July 11, 1973.

Approval No. 160.064/493/0, child medium, Model No. F-4, cloth covered unicellular plastic foam "Buoyant Sport Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 172, Type III Personal Flotation Device, manufactured by Plastimo S.A., 15, Rue Ingenieur Verrieae 56100, Lorient, France for Omega Marketing, Inc., 203 Pleasant Street, Marblehead, Massachusetts 01945, effective July 11, 1973.

Approval No. 160.064/494/0, child medium, Model No. F-30, cloth covered unicellular plastic foam "Buoyant Sport Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 172, Type III Personal Flotation Device, manufactured by Plastimo S.A., 15, Rue Ingenieur Verrieae 56100, Lorient, France for Omega Marketing, Inc., 203 Pleasant Street, Marblehead, Massachusetts 01945, effective July 11, 1973.

Approval No. 160.064/511/0, child medium, Model No. CGVA-S, cloth covered unicellular plastic foam "Water Ski Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 185, Type III PFD, manufactured by Cut 'N' Jump Ski Corporation, 11525 Sorrento Valley Road, San Diego, California 92121 for Compo-Tek, Eden Prairie, Minnesota 55343, effective July 11, 1973.

Approval No. 160.064/512/0, adult, Model No. CGVA-M, cloth covered unicellular plastic foam "Water Ski Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 185, Type III PFD, manufactured by Cut 'N' Jump Ski Corporation, 11525 Sorrento Valley Road, San Diego, California 92121 for Compo-Tek, Eden Prairie, Minnesota 55343, effective July 11, 1973.

Approval No. 160.064/513/0, adult, Model No. CGVA-L, cloth covered unicellular plastic foam "Water Ski Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 185, Type III PFD, manufactured by Cut 'N' Jump Ski Corporation, 11525 Sorrento Valley Road, San Diego, California 92121 for Compo-Tek, Eden Prairie, Minnesota 55343, effective July 11, 1973.

Approval No. 160.064/514/0, adult, Model No. CGVA-XL, cloth covered unicellular plastic foam "Water Ski Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 185, Type III PFD, manufactured by Cut 'N' Jump Ski Corporation, 11525 Sorrento Valley Road, San Diego, California 92121 for Compo-Tek, Eden Prairie, Minnesota 55343, effective July 11, 1973.

Approval No. 160.064/515/0, adult, Model No. CGVB-M, cloth covered unicellular plastic foam "Water Ski Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 185, Type III PFD, manufactured by Cut 'N' Jump Ski Corporation, 11525 Sorrento Valley Road, San Diego, California 92121 for Compo-Tek, Eden Prairie, Minnesota 55343, effective July 11, 1973.

PRESSURE VACUUM RELIEF VALVES AND SPILL VALVES FOR TANK VESSELS

Approval No. 162.017/64/4, figure, No. 100 pressure-vacuum relief valve, atmospheric pattern, weight-loaded poppets, bronze, nickel cast iron or stainless steel body, dwg. No. 100-A, revised September 10, 1970, approved sizes 2½", 3", 4", 5", 6", 8", 10", and 12", an optional manual lifting gear may be provided, manufactured by Mechanical Marine Company, Inc., 45-15 37th Street, Long Island City, New York 11101, effective July 10, 1973. (It supersedes Approval No. 162.017/64/4 dated November 3, 1969.)

SAFETY RELIEF VALVES, LIQUEFIED COMPRESSED GAS

Approval No. 162.018/35/3, 4" Style JQ safety relief valve for liquefied chlorine service (corrosive), approved for a maximum set pressure of 300 p.s.i., discharge capacity 15,350 cubic feet per minute of air measured at 60° F and 14.7 p.s.i.a., manufactured by Crosby Valve & Gage Company, Wrentham, Massachusetts 02093, effective June 28, 1973. (It is an extension of Approval No. 162.018/35/3 dated August 28, 1968.)

BACKFIRE FLAME CONTROL, GASOLINE ENGINES; FLAME ARRESTERS; FOR MERCHANT VESSELS AND MOTORBOATS

Approval No. 162.041/9/2, Barbron backfire flame arrester, part No. 5724B, brass element, cover, and base, also part No. 5724A, having brass element, anodized aluminum base and cover, opening in base is 2.68" diameter, flame arrester may have a fuel/fume feedback tube, formerly series 400-11, part No. A5381, manufactured by Barbron Corporation, 14580 Lesure Avenue, Detroit, Michigan 48227, effective June 29, 1973. (It supercedes Approval No. 162.041/9/1 dated August 28, 1970 to show modification in base of flame arrester.)

INCOMBUSTIBLE MATERIALS FOR MERCHANT VESSELS

Approval No. 164.009/163/0, "Thermo-12" pipe and block insulation, identical to that described in Johns-Manville's letter of March 28, 1973 and in National Bureau of Standards Test Report FR 3844 dated May 24, 1973, manufactured by Johns-Manville Sales Corporation, Denver, Colorado 80217, Plant: Manville, New Jersey, effective July 2, 1973.

Dated September 11, 1973.

D. H. CLIFTON,
Captain, U.S. Coast Guard, Acting
Chief, Office of Merchant
Marine Safety.

[FR Doc.73-19751 Filed 9-17-73; 8:45 am]

[CGD 73-200N]

EQUIPMENT, CONSTRUCTION, AND MATERIALS

Approval Notice

1. Certain laws and regulations (46 CFR Chapter I) require that various items of lifesaving, firefighting and miscellaneous equipment, construction, and materials used on board vessels subject to Coast Guard inspection, on certain motorboats and other recreation vessels, and on the artificial islands and fixed structures on the outer Continental Shelf be of types approved by the Commandant, U.S. Coast Guard. The purpose of this document is to notify all interested persons that certain approvals have been granted as herein described during the period from July 18, 1973 to July 26, 1973 (List No. 18-73). These actions were taken in accordance with the procedures set forth in 46 CFR 2.75-1 to 2.75-50.

2. The statutory authority for equipment, construction, and material approvals is generally set forth in sections 367, 375, 390b, 416, 481, 489, 526p, and 1333 of Title 46, United States Code, section 1333 of Title 43, United States Code, and section 198 of Title 50, United States Code. The Secretary of Transportation has delegated authority to the Commandant, U.S. Coast Guard with respect to these approvals (49 CFR 1.46 (b)). The specifications prescribed by the Commandant, U.S. Coast Guard for certain types of equipment, construction, and materials are set forth in 46 CFR Parts 160 to 164.

3. The approvals listed in this document shall be in effect for a period of 5 years from the date of issuance, unless sooner cancelled or suspended by proper authority.

SEA ANCHORS, LIFEBOAT

Approval No. 160.019/16/0, Model RSC-3 Sea Anchor, U.S.C.G. Drawing No. MMI-562 and Specification dated November 1, 1943, revised August 24, 1944 and Revere dwg. No. B-733-3 dated July 12, 1973, made with cloth and strip laminated vinyl-nylon high strength, flexible, conforming to MIL-C-43006D, Type I, Class 1, yellow, webbing is 2" nylon, conforming to MIL-C-20696, manufactured by Revere Supply Company, Inc., 603-607 West 29 Street, New York, New York 10001, effective July 26, 1973.

LINE-THROWING APPLIANCE, IMPULSE-PROJECTED ROCKET TYPE (AND EQUIPMENT), FOR MERCHANT VESSELS

Approval No. 160.040/4/0, Kilgore's assembly and arrangement dwg. Nos. BP-4159-1-1 dated March 9, 1973; CP-4099-1-1 revised June 14, 1973; CP-4095-1-1 revised June 14, 1973; CP-4140-1-1 dated December 21, 1971, and CP-4053-1-1 dated December 21, 1971, rockets made to dwg. Nos. BP-4137-1-1; BP-4136-1-1; CP-4153-1-1 and CP-4140-1-1 with Approval No. 160.040/4/0 may be used with Kilgore's Launcher Model GR-52-A1, manufactured by Kilgore Corporation, Toone, Tennessee 38381, effective July 25, 1973.

SPECIAL PURPOSE WATER SAFETY BUOYANT DEVICES

Approval No. 160.064/527/0, adult small, Model No. SSV-160, cloth covered unicellular plastic foam "Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 29, Type III PFD, manufactured by Stearns Manufacturing Company, 30th and Division Streets, St. Cloud, Minnesota 56301, effective July 20, 1973.

Approval No. 160.064/528/0, adult medium, Model No. SSV-160, cloth covered unicellular plastic foam "Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 29, Type III PFD, manufactured by Stearns Manufacturing Company, 30th and Division Streets, St. Cloud, Minnesota 56301, effective July 20, 1973.

Approval No. 160.064/529/0, adult large, Model No. SSV-160, cloth covered unicellular plastic foam "Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 29, Type III PFD, manufactured by Stearns Manufacturing Company, 30th and Division Streets, St. Cloud, Minnesota 56301, effective July 20, 1973.

Approval No. 160.064/530/0, adult X-large, Model No. SSV-160, cloth covered unicellular plastic foam "Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 29, Type

III PFD, manufactured by Stearns Manufacturing Company, 30th and Division Streets, St. Cloud, Minnesota 56301, effective July 20, 1973.

Approval No. 160.064/531/0, adult small, Model No. SSV-165, cloth covered unicellular plastic foam "Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 29, Type III PFD, manufactured by Stearns Manufacturing Company, 30th and Division Streets, St. Cloud, Minnesota 56301, effective July 20, 1973.

Approval No. 160.064/532/0, adult medium, Model No. SSV-165, cloth covered unicellular plastic foam "Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 29, Type III PFD, manufactured by Stearns Manufacturing Company, 30th and Division Streets, St. Cloud, Minnesota 56301, effective July 20, 1973.

Approval No. 160.064/533/0, adult large, Model No. SSV-165, cloth covered unicellular plastic foam "Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 29, Type III PFD, manufactured by Stearns Manufacturing Company, 30th and Division Streets, St. Cloud, Minnesota 56301, effective July 20, 1973.

Approval No. 160.064/534/0, adult X-large, Model No. SSV-165, cloth covered unicellular plastic foam "Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 29, Type III PFD, manufactured by Stearns Manufacturing Company, 30th and Division Streets, St. Cloud, Minnesota 56301, effective July 20, 1973.

Approval No. 160.064/535/0, child medium, Model No. SSV-162-Youth, cloth covered unicellular plastic foam "Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 29, Type III PFD, manufactured by Stearns Manufacturing Company, 30th and Division Streets, St. Cloud, Minnesota 56301, effective July 20, 1973.

Approval No. 160.064/536/0, child small, Model No. SSV-163-Child, cloth covered unicellular plastic foam "Buoyant Vest", manufactured in accordance with U.S.C.G. Specification Subpart 160.064 and UL/MD report file No. MQ 29, Type III PFD, manufactured by Stearns Manufacturing Company, 30th and Division Streets, St. Cloud, Minnesota 56301, effective July 20, 1973.

BACKFIRE FLAME CONTROL, GASOLINE ENGINES; FLAME ARRESTERS; FOR MERCHANT VESSELS AND MOTORBOATS

Approval No. 162.041/171/0, Barbron backfire flame arrester, part No. 5714-B, brass element, base, and cover, alternate material for base and cover is anodized aluminum (5714A), opening in base is 2.68" in diameter, manufactured by Barbron Corporation, 14580 Lesure Avenue, Detroit, Michigan 48227, effective July 25, 1973.

Approval No. 162.041/172/0, Barbron backfire flame arrester, part No. 57154-B, brass element, base, and cover, alternate material for base and cover is anodized aluminum (57154A), opening in base is 2.68" in diameter, manufactured by Barbron Corporation, 14580 Lesure Avenue, Detroit, Michigan 48227, effective July 25, 1973.

Approval No. 162.041/173/0, Barbron backfire flame arrester, part No. 38115-B, brass element, base, and cover, alternate material for base and cover is anodized aluminum (38115A), opening in base is 2.68" in diameter, manufactured by Barbron Corporation, 14580 Lesure Avenue, Detroit, Michigan 48227, effective July 25, 1973.

Approval No. 162.041/174/0, Barbron backfire flame arrester, part No. 381515-B, brass element, base, and cover, alternate material for base and cover is anodized aluminum (381515A), opening in base is 2.68" in diameter, manufactured by Barbron Corporation, 14580 Lesure Avenue, Detroit, Michigan 48227, effective July 25, 1973.

Approval No. 162.041/175/0, Barbron backfire flame arrester, part No. 38215-B, brass element, base, and cover, alternate material for base and cover is anodized aluminum (38215A), opening in base is 2.68" in diameter, manufactured by Barbron Corporation, 14580 Lesure Avenue, Detroit, Michigan 48227, effective July 25, 1973.

INCOMBUSTIBLE MATERIALS FOR MERCHANT VESSELS

Approval No. 164.009/47/0, "Superfine HTB Fiber Glass", glass wool insulation type incombustible material identical to that described in National Bureau of Standards Test Report No. TG10210-2022:FP3449 dated May 7, 1958, approved in a $\frac{1}{2}$ to $1\frac{1}{2}$ pounds per cubic foot density, manufactured by Certain-teed Products Corporation, CSG Group, Old Route 202, Eagle School Road, Valley Forge, Pennsylvania 19481, plant located Shelbyville, Indiana, formerly PPG Industries, Inc., effective July 18, 1973. (It supersedes Approval No. 164.009/47/0 dated February 2, 1973 to show change of name and address of manufacturer.)

Approval No. 164.009/75/0, "PPG Textrafine" fibrous glass insulation type incombustible material identical to that described in National Bureau of Standards Test Report No. TG10210-2096:FR3620 dated December 10, 1962, approved in a density of $\frac{1}{2}$ -pound per cubic foot, manufactured by Certain-teed Products Corporation, CSG Group, Old Route 202, Eagle School Road, Valley Forge, Pennsylvania 19481, plant located Shelbyville, Indiana, formerly PPG Industries, Inc., effective July 18, 1973. (It supersedes Approval No. 164.009/75/0 dated February 2, 1973 to show change of name and address of manufacturer.)

Approval No. 164.009/130/0, "Textrafine Blanket Insulation", fibrous glass type incombustible material identical to that described in National Bureau of Standards Test Report No. TG10210-

2186:FR3723 and PPG Industries, Inc. letters dated June 24, 1969 and July 16, 1969, approved in a density of 0.75 pounds per cubic foot, manufactured by Certain-teed Products Corporation, CSG Group, Old Route 202, Eagle School Road, Valley Forge, Pennsylvania 19481, plant located Shelbyville, Indiana, formerly PPG Industries, Inc., effective July 18, 1973. (It supersedes Approval No. 164.009/130/0 dated December 29, 1969 to show change of name and address of manufacturer.)

Approval No. 164.009/147/0, "Navy Hull Board Type C", fibrous glass insulation board identical to that described in National Bureau of Standards Test Report No. FR3758 dated May 25, 1971 and PPG Industries, Inc. letter dated March 10, 1971, approved in a density of 2.75 pounds per cubic foot, manufactured by Certain-teed Products Corporation, CSG Group, Old Route 202, Eagle School Road, Valley Forge, Pennsylvania 19481, plant located Shelbyville, Indiana, formerly PPG Industries, Inc., effective July 18, 1973. (It supersedes Approval No. 164.009/147/0 dated June 21, 1971 to show change of name and address of manufacturer.)

Dated September 11, 1973.

D. H. CLIFTON,
Captain, U.S. Coast Guard, Acting
Chief, Office of Merchant
Marine Safety.

[FR Doc.73-19750 Filed 9-17-73; 8:45 am]

[CGD 73-212N]

SCIENCE ADVISORY COMMITTEE

Notice of Open Meeting

Pursuant to the Federal Advisory Committee Act (Public Law 92-463), notice is hereby given that the Seventh Meeting of the Science Advisory Committee will be held on October 10-11, 1973 in Building 28B at the U.S. Coast Guard Yard, Curtis Bay (near Baltimore), Maryland. Members of the public will be admitted to the meeting beginning at 0830 a.m. each day on the agenda listed below according to a first-come-first-served basis up to the seating capacity of the room, which is about 100 persons.

The agenda consists of the following topics:

Current highlights of the ongoing USCG program in research, development, test and evaluation; current status and concepts in designing and staffing the permanent USCG R&D Center; review of research into non-electronic means of marine survival and of target enhancement for survivors in the water; review of the proposed 5-year RDT&E program plan related to marine safety and environmental protection; discussion of the Commandant's response to recommendations made by the Committee at its sixth meeting; "brainstorming" ideas as to where the biggest pay-offs may lie in the Coast Guard RDT&E effort, particularly in use of in-house capabilities; and optimal interfacing of Coast Guard research and development with Coast Guard engineering efforts.

The Coast Guard Science Advisory Committee serves in an advisory capacity only. It was first established on May 11, 1969, to provide a broad external and neutral view for review of the Coast Guard's effort in the area of research, development, test and evaluation. The Acting Secretary of Transportation on November 8, 1972, formally extended the Committee for an additional 2-year period ending December 31, 1974 and charged the committee with rendering advisory services relative to an ongoing broad external review of the Coast Guard's RDT&E effort; making recommendations concerning development of new technologies for accomplishing Coast Guard missions, and interfacing Coast Guard scientific and technological programs with those of other agencies, particularly the Departments of Navy and Transportation. The Committee is now chaired by Dr. Ralph D. Bennett, Consultant, of Belvedere, California.

For further information concerning this meeting, contact Captain W. R. Bleakley, Jr., USCG, executive secretary of the Committee, at the Office of Research and Development, U.S. Coast Guard Headquarters, Seventh and D Streets SW., Washington, D.C. 20590. Telephone contact may be made at 202-426-1031. Summary minutes of this meeting may also be obtained by contacting the same office.

Dated September 4, 1973.

A. H. SIEMENS, Jr.,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Research and
Development.

[FR Doc.73-19756 Filed 9-17-73; 8:45 am]

Office of the Secretary

COMMANDANT OF THE COAST GUARD

Delegation of Authority

By Federal Property Management Temporary Regulation F-187, effective June 12, 1973, the Administrator of General Services delegated to the Secretary of Transportation authority to represent the consumer interests of the Executive agencies of the Federal Government before the Public Utilities Commission of the State of Connecticut in a proceeding involving the application of the Hartford Electric Light Company for abolition of Rate 31, for all-electric buildings. That regulation further authorized the Secretary of Transportation to redelegate this authority to any officer, official, or employee of the Department of Transportation.

Pursuant thereto, effective June 13, 1973, I hereby delegate all authority vested in me by Federal Property Management Temporary Regulation F-187 to the Commandant of the Coast Guard, with authority to redelegate.

This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and, further,

shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

Issued in Washington, D.C., on August 29, 1973.

CLAUDE S. BRINEGAR,
Secretary of Transportation.

[FR Doc.73-19742 Filed 9-17-73;8:45 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-309]

MAINE YANKEE ATOMIC POWER CO.

Notice of Oral Argument

In the matter of Maine Yankee Atomic Power Station.

Notice is hereby given that oral argument in this proceeding, calendared for Thursday, October 11, 1973, at 9:15 a.m., in accordance with the Atomic Safety and Licensing Appeal Board's Orders of August 30, 1973 and September 7, 1973, will be held in the Appeal Panel Hearing Room located on the 5th floor of the East-West Tower Building, 4350 East-West Highway, Bethesda, Maryland.

For the Atomic Safety & Licensing Appeal Board.

Dated September 12, 1973.

MARGARET E. DU FLO,
Secretary to the
Appeal Board.

[FR Doc.73-19747 Filed 9-17-73;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 23045; Order 73-9-48]

BUSINESS JETS, PTY., LTD.

Order

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 12th day of September, 1973.

By Order 73-8-32, dated August 7, 1973, the Board directed all interested persons to show cause why the Board should not issue a notice that the foreign air carrier permit now held by Business Jets, Pty., Ltd. has terminated. The order required that all interested persons having objections to the issuance of an order making final the tentative findings and conclusions set forth therein file such objections within 20 days after service.

No objection to Order 73-8-32 has been filed.

Accordingly, we conclude that the tentative findings and conclusions contained in Order 73-8-32 should be made final.

Accordingly, it is ordered That:

1. The tentative findings and conclusions set forth in Order 73-8-32 be and they hereby are made final; and
2. Notice is hereby given that the foreign air carrier permit held by Business Jets, Pty., Ltd. has terminated.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.73-19814 Filed 9-17-73;8:45 am]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

[Docket No. 23333; Order 73-9-45]

Order Relating to Reduced Fares for Cargo Sales Agents

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 11th day of September, 1973.

Recently, the Board, by Order 73-7-28 of July 10, 1973, approved, subject to conditions, an agreement of the International Air Transport Association (IATA) dealing with the revision of the basis upon which reduced-fare concessions for United States-based IATA cargo agents are allocated.¹ The general effect of the revision was to establish an incentive program geared to agent productivity in place of the present system of allocation of a fixed number of tickets for each agency location.

On August 7, 1973, the members of the Air Freight Forwarders Association (AFFA) filed a petition with the Board for reconsideration of Order 73-7-28. In general, AFFA maintains the Board made its decision without full examination of the facts and issues pertinent to the case, and specifically erred in concluding that forwarder consolidation revenues should be excluded from the productivity base upon which the number of reduced-fare tickets to be allocated is determined.

Pan American World Airways, Inc. (Pan American) in an August 13, 1973, answer to AFFA's petition states that under the resolution in question it had always assumed that such non-commissionable forwarder revenue would be included in computing total sales productivity for the purpose of allocating such reduced-fare transportation.

Trans World Airlines, Inc. (TWA) has advised IATA² that because of the Board's disallowance of forwarder consolidations in the productivity base and its conditioning of the resolution with respect to the discount level offered, the resolution will not become effective since it is a type "A" resolution.³ Further, TWA believes it necessary to extend the validity of the previous resolution governing reduced-fare privileges for U.S.-based cargo agents by cable mail vote until a solution to the problems raised can be found.

Accordingly, IATA has submitted for Board approval a mail vote agreement, which has been designated Agreement

¹ In the same Order the Board also approved an IATA resolution governing allocation of reduced-fare concessions for foreign-based IATA cargo agents.

² By cable dated August 3, 1973.

³ Under IATA conference machinery rules, resolutions are given a "type" letter indicating the possible effect of government actions in terms of conditions or amendments. In a type "A" resolution, should a government disapprove or condition a part of the resolution, then the whole resolution may be considered void, if this action is requested by a Member airline. In this case TWA, an IATA member, has so requested; therefore, the new resolution 203a governing reduced-fare concessions for U.S.-based IATA cargo agents will not become effective.

C.A.B. 23891, extending the validity of the previous resolution to December 31, 1973.

We believe that such extension is warranted in order to allow time for the IATA member carriers to reach an equitable and reasonable solution to the problem—one that is acceptable to all parties and in conformance with Board policy. Additionally, we shall dismiss the petition of AFFA as moot.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, makes the following findings:

1. It is not found that the following resolution, incorporated in Agreement C.A.B. 23891, is adverse to the public interest or in violation of the Act provided that approval is subject to conditions previously imposed by the Board; and

100 (Mail 931) 203a
200 (Mail 188) 203a
300 (Mail 413) 203a
JT12 (Mail 817) 203a
JT23 (Mail 320) 203a
JT31 (Mail 244) 203a
JT123 (Mail 712) 203a

2. It is found that the petition of the members of the Air Freight Forwarders Association for reconsideration of Board Order 73-7-28 is moot and should be dismissed.

Accordingly, it is ordered that:

1. Agreement C.A.B. 23891 be and hereby is approved subject to conditions previously imposed by the Board;

2. The petition of the Air Freight Forwarders Association for reconsideration of Order 73-7-28 be dismissed; and

3. Copies of this order be served upon the Air Freight Forwarders Association, Pan American World Airways, Inc. and Trans World Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.73-19813 Filed 9-17-73;8:45 am]

[Docket No. 24488; Order 73-9-39]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Passenger Fare Matters

Issued under delegated authority September 10, 1973.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations between various air carriers, foreign air carriers and other carriers embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA).

The agreement would implement a filing with IATA by Aeromexico de Mexico, S.A. (Aeromexico) under the provisions of Resolution 072, governing creative fares within the Western Hemisphere, to continue to apply 5/21 day excursion fares between Phoenix and Tucson, on the one hand, and Ciudad Obregon and Culiacan, on the other

hand. We will herein approve the agreement, but will require that implementing tariffs carry an expiry date of March 31, 1974, consistent with a similar requirement imposed in connection with our approvals of the general Western Hemisphere fare structures.

Pursuant to authority duly delegated by the Board in the Board's Regulations, 14 CFR 385.14, it is not found that the subject agreement is adverse to the public interest or in violation of the Act, provided that approval is subject to the condition hereinafter ordered.

Accordingly, it is ordered That:

1. Agreement C.A.B. 23923 be and hereby is approved; and

2. Tariffs implementing the agreement shall be marked to expire on March 31, 1974.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

By James L. Deegan, Chief, Passenger and Cargo Rates Division, Bureau of Economics.

[SEAL] EDWIN Z. HOLLAND,
Secretary.
[FR Doc.73-19812 Filed 9-17-73; 8:45 am]

[Docket No. 23080-1]

PRIORITY AND NONPRIORITY DOMESTIC SERVICE MAIL RATES INVESTIGATION

Postponement of Hearing

Notice is hereby given that the hearing currently scheduled for September 18, 1973 (38 FR 20116, July 26, 1973) in the above-entitled proceeding, dealing with rates from December 12, 1970, through March 27, 1973, is hereby postponed pending further developments with regard to Board Order to Show Cause 73-8-144, August 30, 1973, dealing with final rates for the certificated air carriers for the period covered by this proceeding.

Dated at Washington, D.C., September 14, 1973.

[SEAL] HARRY H. SCHNEIDER,
Administrative Law Judge.
[FR Doc.73-19931 Filed 9-17-73; 8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

ENVIRONMENTAL IMPACT STATEMENTS AND OTHER ACTIONS AFFECTING THE ENVIRONMENT

Availability of EPA Comments

Pursuant to the requirements of section 102(2)(C) of the National Environ-

mental Policy Act of 1969 and section 309 of the Clean Air Act, as amended, the Environmental Protection Agency (EPA) has reviewed and commented in writing on Federal agency actions impacting the environment contained in the following appendices during the period of August 1, 1973 to August 31, 1973.

Appendix I contains a listing of draft environmental impact statements reviewed and commented upon in writing during this review period. The list includes the Federal agency responsible for the statement, the number and title of the statement, the classification of the nature of EPA's comments as defined in Appendix II, and the EPA source for copies of the comments as set forth in Appendix V.

Appendix II contains the definitions of the classifications of EPA's comments on the draft environmental impact statements as set forth in Appendix I.

Appendix III contains a listing of final environmental impact statements reviewed and commented upon in writing during this reviewing period. The listing will include the Federal agency responsible for the statement, the number and title of the statement, a summary of the nature of EPA's comments, and the EPA source for copies of the comments as set forth in Appendix V.

Appendix IV contains a listing of proposed Federal agency regulations, legislation proposed by Federal agencies, and any other proposed actions reviewed and commented upon in writing pursuant to section 309(a) of the Clean Air Act, as amended, during the referenced reviewing period. The listing includes the Federal agency responsible for the proposed action, the title of the action, a summary of the nature of EPA's comments, and the EPA source for copies of the comments as set forth in Appendix V.

Appendix V contains a listing of the names and addresses of the sources for copies of EPA comments listed in Appendices I, III, and IV.

Copies of the EPA Manual, setting forth the policies and procedures for EPA's review of agency actions, may be obtained by writing the Public Inquiries Branch, Office of Public Affairs, Environmental Protection Agency, Washington, D.C. 20460. Copies of the draft and final environmental impact statements referenced herein are available from the originating Federal department or agency or from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151.

Dated September 10, 1973.

REBECCA W. HAMMER,
Acting Director,
Office of Federal Activities.

APPENDIX I

DRAFT ENVIRONMENTAL IMPACT STATEMENTS FOR WHICH COMMENTS WERE ISSUED BETWEEN AUG. 1, 1973, AND AUG. 31, 1973

Identifying number	Title	General nature of comments	Source for copies of comments
<i>Atomic Energy Commission</i>			
D-AEC-06099-NY	R. E. Ginna Nuclear Power Plant Unit No. 1, New York	ER-2	A
D-AEC-06100-SC	H. B. Robinson Nuclear Steam-Electric Plant, Unit 2, South Carolina	ER-2	A
D-AEC-06102-SC	Catawba Nuclear Station Units 1 and 2, South Carolina	EU-2	A
<i>Department of Agriculture</i>			
D-AFS-23001-00	Use of Herbicides in Vegetation Management, Washington, Idaho, Montana, North Dakota, and South Dakota	LO-1	A
D-AFS-24030-MT	Northern Region's Slash Disposal Program, Montana	ER-2	I
D-AFS-65015-CO	Marble Winter Sports Site, Colorado	ER-2	I
D-AFS-65028-ID	Centennial Mountain Planning Unit, Idaho	LO-1	K
D-AFS-65030-NM	Timber Management Plan for Carson National Forest, N. Mex.	LO-2	G
D-AFS-65032-ID	Nexperco Forest Combined Timber Management Plan, Idaho	LO-1	K
D-AFS-65033-ID	South Boise Wood River Planning Unit, Sawtooth Forest, Idaho	LO-1	K
D-AFS-65037-MT	Windy Pass Timber Sale on Gallatin National Forest, Mont.	LO-2	I
D-AFS-99031-NM	Vegetation Control by Mechanical Means and Fire, New Mexico	LO-1	G
D-AFS-99032-MT	Skalkaho-Gird and Sleeping Child Planning Units, Montana	LO-2	I
D-ASC-26001-00	Rural Environmental Assistance Program	LO-2	A
D-REA-07077-WI	65 MW Generating Station, Colby, Wis.	LO-1	F
D-REA-08005-CO	230-kV Transmission Tapline to Steamboat Spring, Colo.	LO-1	I
RD-AFS-61143-ID	Regulations Covering Land Acquisition and Standards for Use Subdivision and Development of Private Lands Within the Sawtooth National Recreation Area, Idaho	LO-1	A
D-SCS-36286-KY	North Fork Nolin River Watershed, Ky.	LO-2	E
D-SCS-36274-FL	Pemberton Creek Watershed, Hillsborough County, Fla.	ER-2	E
D-SCS-36287-AL	Mush Creek Watershed, Ala.	LO-2	E
<i>Department of Commerce</i>			
D-EDA-50123-OR	Yamhill Bounty Bridge Over Willamette River, Oreg.	LO-1	K
D-EDA-36294-TX	Bayou Loco Dam and Reservoir, Nacadoches, Tex.	LO-2	G
<i>Corps of Engineers</i>			
D-COE-35078-NY	Maintenance Dredging of East Rockaway Inlet, N.Y.	LO-2	C
D-COE-30065-PA	Beach Erosion Control Project at Presque Isle, Pa.	ER-1	D
D-COE-32427-TX	Gulf Intracoastal Waterway (Tributary Channel), Tex.	LO-2	G

ADEQUACY OF THE IMPACT STATEMENT

CATEGORY 1—ADEQUATE

The draft impact statement adequately sets forth the environmental impact of the proposed project or action as well as alternatives reasonable available to the project or action.

CATEGORY 2—INSUFFICIENT INFORMATION

EPA believes that the draft impact statement does not contain sufficient information to assess fully the environmental impact of the proposed project or action. However, from the information submitted, the Agency is able to make a preliminary determina-

tion of the impact on the environment. EPA has requested that the originator provide the information that was not included in the draft statement.

CATEGORY 3—INADEQUATE

EPA believes that the draft impact statement does not adequately assess the environmental impact of the proposed project or action, or that the statement inadequately analyzes reasonable available alternatives. The Agency has requested more information and analysis concerning the potential environmental hazards and has asked that substantial revision be made to the impact statement.

APPENDIX III

FINAL ENVIRONMENTAL IMPACT STATEMENTS FOR WHICH COMMENTS WERE ISSUED BETWEEN AUG. 1, 1973, AND AUG. 31, 1973

Identifying number	Title	General nature of comments	Source for copies of comments
<i>Department of Defense</i> F-USN-11028- DC	Bolling-Anacostia Development Concept, Washington, D.C.	EPA believes the Bolling-Anacostia Development Concept poses difficult environmental problems but feels that each of the following problems can be reasonably resolved if the plan's implementation is carried out with environmental sensitivity: (1) Waste-water treatment, (2) transportation and air quality, and (3) transportation and noise quality. EPA recommended that the Navy continue to consult with the Agency during the development period.	A
F-USN-11028- MS	Multi-Purpose Target Range Naval Air Station, Miss.	EPA generally agreed with the proposed project. EPA brought to the attention of the Navy that an increase in the turbidity and silt of adjacent streams should be expected.	E
<i>National Capital Planning Commission</i> F-NCP-11034- DC	Proposed modifications to the Comprehensive Plan for the National Capital to conform to the master plans for parts of the Bolling-Anacostia tract.	EPA finds that the environmental problems which will result from implementation of the base development concept can be significantly reduced if the Navy carefully controls the timing of Bolling-Anacostia's development program and maintains close coordination with the various concerned agencies within the Washington metropolitan area.	A
<i>Department of Transportation</i> F-FAA-41160- AL	Birmingham Municipal Airport, Birmingham, Ala.	EPA generally agrees with the proposed project. However, we recommended that further consideration be given to the noise abatement program and air sampling to determine existing conditions.	E
F-FHW-41937- NJ	Route I-26 from Route I-96 in Bucks County, Pa., to I-295 in New Jersey.	The comments made by EPA on the draft statement were answered to our complete satisfaction. EPA believes the final statement represents a thorough and objective analysis of the environmental effects of the proposed project.	C

APPENDIX IV

REGULATIONS, LEGISLATION AND OTHER FEDERAL AGENCY ACTIONS FOR WHICH COMMENTS WERE ISSUED BETWEEN AUG. 1, 1973, AND AUG. 31, 1973

Agency	Title	General nature of comments	Source for copies of comments
<i>Atomic Energy Commission</i> E-AEC-9604- OO	10 CFR Part 20, Standards for Protection Against Radiation, Personnel Monitoring Reports.	EPA generally considers this amendment to the standard to be desirable considering it will provide a data base from which occupational exposure trends can be evaluated and estimates of integrated dose (MAN-REM) can be made.	A
<i>Department of Agriculture</i> R-AFH-99037-00	7 CFR Part 1503, Community Facility Loans.	EPA's comments suggested that this regulation be modified to incorporate EPA's regulations implementing Executive Order 11902 entitled "Administration of the Clean Air Act With Respect to Federal Contracts, Grants, or Loans."	A
R-AFH-99038- OO	7 CFR Part 1523, Grants for Facilitating Development of Private Business Enterprises.	EPA recommended that this regulation be modified to incorporate EPA's proposed regulations implementing section 266 of the Clean Air Act and Executive Order 11902 which require Federal grantees to amend their regulations to insure that grants are not made to grantees whose facilities are in violation of the Clean Air Act.	A
R-DOA- 99039-00	7 CFR Part 23, Guidelines for Programs, Title V, Rural Development Act of 1972.	EPA's comments on these guidelines suggested that they be modified to emphasize consistency with environmental protection standards, planning, and programs.	A
R-DOA- 99041-00	9 CFR Parts 315, 331, Procedures for Handling Products Adulterated by Polluted Water.	EPA comments reflect that the proposed rule-making will not have a significant impact on the environment.	A
<i>Department of Commerce</i> R-DOC- 99046-00	15 CFR Part 9, Voluntary Labeling Program for Major Household Appliances to Effort Energy Conservation.	EPA generally agrees with the proposed rule-making and offered several specific comments.	A
R-NOA- 99042-00	15 CFR Part 900, Coastal Zone Management Program Development grants.	EPA generally has no objection to the proposed regulations but suggests certain changes to strengthen the relationship of the coastal zone management program to Federal-State environmental regulatory programs, and recommends adding to the list of critical areas needed to protect, maintain, or replenish coastal lands or resources, such as coastal flood plains, aquifer recharge areas, sand dunes, coral and other reefs, beaches, offshore sand deposits, and mangrove stands.	A
<i>Department of Health, Education, and Welfare</i> E-HHW- 99049-00	21 CFR Part 176, Feminine Deodorant Sprays.	EPA generally agrees with the proposed regulation.	A
<i>Department of the Interior</i> R-NPS-41165-00	36 CFR Part 13, St. Croix National Scenic Riverway, Minnesota-Wisconsin.	EPA generally believes this regulation will provide protection to the riverfront environment from developments that are incompatible with the "Scenic Riverway" status.	A

APPENDIX IV—continued

REGULATIONS, LEGISLATION AND OTHER FEDERAL AGENCY ACTIONS FOR WHICH COMMENTS WERE ISSUED BETWEEN AUG. 1, 1973, AND AUG. 31, 1973

Agency	Title	General nature of comments	Source for copies of comments
Interstate Commerce Commission R-ICC-52064-00. Ex Parte No. 55 (Sub-No. 8)	Motor Common Carriers of Property, Routes, and Services Petition for the Elimination of Gateways by Rulemaking.	The Environmental Protection Agency has recommended to the Interstate Commerce Commission that motor common carriers be allowed to operate directly between any two points they are authorized to serve. EPA's comments, submitted in response to an ICC notice of rulemaking proceeding, emphasized that direct-line service would result in reduction of air pollution and energy consumption.	A
Department of Transportation R-FHW-9036-00. 23 CFR Part 1, Policy and Procedure. Memorandum (PPM) 90-1, Environmental Impact Statements for Federal-Aid Highway Projects.		EPA in review of two alternative amendments to ppm 90-1 proposed by FHWA, recommended that the FHWA adopt procedures under which an EIS would be prepared on any major Federal-aid highway projects significantly affecting the environment if a request for approval of advertisement for bids on that project is submitted on or after Jan. 1, 1974.	A

APPENDIX V

SOURCES FOR COPIES OF EPA COMMENTS

- A. Director, Office of Public Affairs
Environmental Protection Agency
401 M Street, S.W.
Washington, D.C. 20460
- B. Director of Public Affairs
Region I
Environmental Protection Agency
Room 2303
John F. Kennedy Federal Building
Boston, Massachusetts 02203
- C. Director of Public Affairs
Region II
Environmental Protection Agency
Room 847
26 Federal Plaza
New York, New York 10007
- D. Director of Public Affairs
Region III
Environmental Protection Agency
Curtis Bldg., 6th and Walnut Streets
Philadelphia, Pennsylvania 19106
- E. Director of Public Affairs
Region IV
Environmental Protection Agency
Suite 300
1421 Peachtree Street, N.E.
Atlanta, Georgia 30309
- F. Director of Public Affairs
Region V
Environmental Protection Agency
1 N. Wacker Drive
Chicago, Illinois 60606
- G. Director of Public Affairs
Region VI
Environmental Protection Agency
1600 Patterson Street
Dallas, Texas 75201
- H. Director of Public Affairs
Region VII
Environmental Protection Agency
1735 Baltimore Street
Kansas City, Missouri 64108
- I. Director of Public Affairs
Region VIII
Environmental Protection Agency
Lincoln Tower, Room 916
1860 Lincoln Street
Denver, Colorado 80203
- J. Director of Public Affairs
Region IX
Environmental Protection Agency
100 California Street
San Francisco, California 94102
- K. Director of Public Affairs
Region X
Environmental Protection Agency
1200 6th Avenue
Seattle, Washington 98101

[FR Doc.73-19567 Filed 9-17-73; 8:45 am]

METROPOLITAN BALTIMORE STATE
INTRASTATE REGION PLANSOpportunity for Public Comment on Plans
To Achieve Secondary Standards

On May 31, 1972 (37 FR 10842), pursuant to section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator granted an 18-month extension for submission of a plan to attain and maintain the secondary standard for sulfur oxides in the Metropolitan Baltimore Intrastate Region. On July 31, 1973, the Governor of Maryland submitted the plan as required.

This notice is issued to advise the public that comments may be submitted on whether the control strategy should be approved or disapproved as required by section 110 of the Clean Air Act. Only comments received on or before October 18, 1973, will be considered. The Administrator's decision to approve or disapprove the plan is based on whether it meets the requirements of section 110 (a) (2) (A)-(H) and EPA regulations in 40 CFR, Part 51.

The proposed plan does not alter or supplement the present Maryland regulations for sulfur dioxide. Rather, the plan is submitted to demonstrate that implementation and enforcement of existing Maryland Regulations in the Metropolitan Baltimore Intrastate Region will be sufficient to achieve the secondary standards for sulfur dioxide by 1975.

Copies of the Maryland plan are available for public inspection during normal business hours at the Offices of EPA, Region II, Curtis Building, 2nd Floor, 6th and Walnut Streets, Philadelphia, Pennsylvania 19106, and in the Office of the Maryland State Department of Health and Mental Hygiene, 601 N. Howard Street, Baltimore, Maryland 21201, and at the Freedom of Information Center, EPA, 401 M Street SW., Washington, D.C. 20460. All comments should be addressed to the Regional Administrator, Environmental Protection Agency, Region III, Curtis Building, 6th and

Walnut Streets, Philadelphia, Pennsylvania 19106.

ROBERT L. SANSOM,
Assistant Administrator
for Air and Water Programs.

SEPTEMBER 13, 1973.

[FR Doc.73-19820 Filed 9-17-73; 8:45 am]

NATIONAL AIR POLLUTION MANPOWER
DEVELOPMENT ADVISORY COMMITTEE

Notice of Meeting

Pursuant to P.L. 92-463, notice is hereby given that the Training Priorities Subcommittee Meeting will be held at 9 a.m., September 27, 1973, to prepare a paper on "Goals and Training Priorities" to be reviewed at the regular National Air Pollution Manpower Development Advisory Committee Meeting.

The National Air Pollution Manpower Development Advisory Committee Meeting will be held at 8 p.m., September 27, 1973 and at 9 a.m., September 28-29, 1973. Both meetings will be held in Conference Room 219, Law Building, University of Illinois, Urbana, Illinois.

This is the regular quarterly meeting of the Advisory Committee. Primarily the meeting will be devoted to Committee review of fellowship applications, the Training Priorities Subcommittee Report and presentations from the University of Illinois.

The meeting will be open to the public. Any member of the public wishing to attend or participate should contact Mr. Ronnie E. Townsend, Executive Secretary, National Air Pollution Manpower Development Advisory Committee, Research Triangle Park, North Carolina, (919) 549-8411, extension 2492.

ROBERT L. SANSOM,
Assistant Administrator
for Air and Water Programs.

SEPTEMBER 13, 1973.

[FR Doc.73-19819 Filed 9-17-73; 8:45 am]

FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder
License 1204]

AAAA LUTHER MOVING & STORAGE, INC.

Order of Revocation

AAAA Luther Moving & Storage, Inc., 1500 Broadway, Suite 910, Lubbock, Texas 79401 voluntarily surrendered its Independent Ocean Freight Forwarder License No. 1204 for revocation.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (revised) section 7.04(f) (dated 5/1/72):

It is ordered, That Independent Ocean Freight Forwarder License No. 1204 of AAAA Luther Moving & Storage, Inc. be and is hereby revoked effective September 1, 1973, without prejudice to reapply for a license at a later date.

It is further ordered, That a copy of this Order be published in the FEDERAL

REGISTER and served upon AAAA Luther Moving & Storage, Inc.

AARON W. REESE,
Managing Director.

[FR Doc.73-19806 Filed 9-17-73; 8:45 am]

[Independent Ocean Freight Forwarder
License 1479]

GLOBAL FORWARDING CO.

Order of Revocation

On August 23, 1973, the Federal Maritime Commission received notification that Clyde L. McGuire, d/b/a Global Forwarding Company, 1119 Petroleum Building, Houston, Texas 77002 wishes to voluntarily surrender its Independent Ocean Freight Forwarder License No. 1479 for revocation, effective September 1, 1973.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (revised) section 7.04(f) dated 5/1/72;

It is ordered, That Independent Ocean Freight Forwarder License No. 1479 be returned to the Commission for cancellation.

It is further ordered, That the Independent Ocean Freight Forwarder License of Clyde L. McGuire, d/b/a Global Forwarding Company be and is hereby revoked effective September 1, 1973, without prejudice to reapply for a license at a later date.

It is further ordered, That a copy of this Order be published in the FEDERAL REGISTER and served upon Clyde L. McGuire, d/b/a Global Forwarding Company.

AARON W. REESE,
Managing Director.

[FR Doc.73-19805 Filed 9-17-73; 8:45 am]

FEDERAL RESERVE SYSTEM

ATLANTIC BANCORPORATION

Order Approving Acquisition of Bank

Atlantic Bancorporation, Jacksonville, Florida, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a) of the Act (12 U.S.C. 1842(a)(3)) of the acquisition of 90 percent or more of the voting shares of the Peninsula State Bank, Tampa, Florida ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, the Florida Commissioner of Banking has expressed his approval, and no other comments have been received. The application has been considered in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant is the seventh largest banking organization in Florida and controls 23 banks with aggregate deposits of

\$855.9 million, or 4.33 percent of the commercial bank deposits in the state. (Banking data are as of December 31, 1972, and reflect holding company formations and acquisitions approved by the Board through July 11, 1973.) Acquisition of Bank with deposits of \$40.4 million would increase Applicant's share of state deposits by two-tenths of one percent and would make Applicant the sixth largest banking organization. The effect on statewide concentration would not be significant.

Applicant is seeking initial entry into the Hillsborough County (Tampa) banking market. Bank is the seventh largest of 34 banks in the market and has 2.79 percent of total market deposits. The three largest banking organizations in the market control 69 percent of deposits in the area; thus, Applicant will not obtain by this acquisition a dominant position in the market. Applicant's nearest subsidiary bank is the Lake Wales Bank and Trust Company, Lake Wales, Florida, 55 miles east of Tampa. Since Bank does not compete with Applicant's subsidiaries, no existing competition would be eliminated by the proposed acquisition. In view of the distances involved and Florida's restrictive branching laws, consummation of this proposal would not appear to have an adverse effect on future competition between Bank and any of Applicant's subsidiaries. Consummation of the proposal would have no adverse competitive effects in any relevant area.

Considerations relating to the financial and managerial resources and future prospects of Applicant, its subsidiary banks, and Bank are generally satisfactory and consistent with approval of the application, particularly in view of Applicant's commitment to supply additional capital to certain of its subsidiary banks. Applicant does not indicate that it will change Bank's present services; considerations of the convenience and needs of the community to be served are consistent with approval of the application. It is this Federal Reserve Bank's judgement that the proposed transaction would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board or by this Federal Reserve Bank pursuant to delegated authority.

By order of the Federal Reserve Bank of Atlanta, acting for the Board of Governors of the Federal Reserve System under delegated authority, effective September 5, 1973.

[SEAL]

MONROE KIMBREL,
President.

[FR Doc.73-19770 Filed 9-17-73; 8:45 am]

CENTRAL BANCOMPANY

Proposed Acquisition of Voting Shares

Central Bancompany, Jefferson City, Missouri, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire voting shares of The Guaranty Trust Company of Missouri, Clayton, Missouri, and to acquire the assets of Harrison L. Winter and Associates, Clayton, Missouri. Notice of the application was published on August 10, 1973, in The St. Louis Countian, a newspaper circulated in St. Louis, Missouri.

Applicant states that the proposed subsidiary would engage in the activities of a trust company, including activities of a fiduciary, agency or custodian nature, in the manner authorized by State law but not to accept demand deposits and make commercial loans. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of St. Louis.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than October 8, 1973.

Board of Governors of the Federal Reserve System, September 11, 1973.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.73-19761 Filed 9-17-73; 8:45 am]

CONTINENTAL ILLINOIS CORP.

Proposed Retention of Republic Realty Mortgage Corp.

Continental Illinois Corporation, Chicago, Illinois, has applied pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to retain voting shares of Republic Realty Mortgage Corporation, Chicago, Illinois. Such shares were

acquired by Continental Illinois Corporation on June 16, 1970, and, under the provisions of section 4(a) (2) of the Bank Holding Company Act (12 U.S.C. 1843 (a) (2)), may not be retained beyond December 31, 1980, without Board approval. Notice of the application was published in newspapers of general circulation in communities where Republic Realty Mortgage Corporation has an office as follows:

Date	Newspaper	City and State
July 13, 1973	Chicago Tribune	Chicago, Ill.
July 12, 1973	St. Louis Post-Dispatch	St. Louis, Mo.
July 13, 1973	The Atlanta Constitution	Atlanta, Ga.
July 14, 1973	Milwaukee Journal	Milwaukee, Wis.

Applicant states that Republic Realty Mortgage Corporation would continue to engage in the following mortgage banking activities: (1) the origination and acquisition of real estate loans (including construction lending) both FHA-insured and conventional as principal or agent; (2) sale of real estate loans to investors; (3) servicing of real estate loans; (4) acting as agent or broker in connection with the placement of credit life and credit disability insurance incidental to real estate loans originated or serviced; and (5) other incidental activities related to the mortgage banking business. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than October 8, 1973.

Board of Governors of the Federal Reserve System, September 11, 1973.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc.73-19766 Filed 9-17-73;8:45 am]

FIDELITY CORPORATION OF OKLAHOMA Formation of Bank Holding Company

Fidelity Corporation of Oklahoma, Oklahoma City, Oklahoma, has applied for the Board's approval under section 3(a) (1) of the Bank Holding Company Act (12 U.S.C. 1842(a) (1)) to become a bank holding company through acquisition of 100 percent of the voting shares (less directors' qualifying shares) of the successor by merger to Fidelity Bank, N.A., Oklahoma City, Oklahoma. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit his views in writing to the Reserve Bank, to be received not later than October 8, 1973.

Board of Governors of the Federal Reserve System, September 11, 1973.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.73-19772 Filed 9-17-73;8:45 am]

FINANCIAL DATA SYSTEMS, INC.

Order Approving Formation of Bank Holding Company

Financial Data Systems, Inc., Detroit, Michigan, has applied for the Board's approval under section 3(a) (1) of the Bank Holding Company Act (12 U.S.C. 1842(a) (1)) of formation of a bank holding company through acquisition of 38 percent of the common shares and 54 percent of the cumulative preferred shares, of Bank of the Commonwealth, Detroit, Michigan ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered those received and the application in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, recently organized for the purpose of becoming a bank holding company and engaging in the provision of financial data processing services, has engaged in no business activities and has no subsidiaries. Bank (deposits of \$886.7 million) is the fifth largest of 47 banking organizations in the Detroit area, accounting for six percent of the aggregate deposits held by those organizations. (All data are as of December 31, 1972, unless otherwise indicated). The transaction is merely a reorganization whereby James T. Barnes who controls Bank directly at the present time will control Bank indirectly through Applicant. Accordingly, the Board concludes that consummation of the proposal will not eliminate any existing or potential competition in banking, increase concentra-

tion of banking resources, or have an undue adverse effect on the other banks in the relevant area. Mr. Barnes has controlling interests in several local or locally-based mortgage banking, and other financial concerns, but consummation of the proposed transaction per se would not affect the competitive relationships between Bank and those concerns since Bank will be affiliated with those concerns irrespective of Board action on this application. The Board in considering this application has considered the competitive effects of Mr. Barnes' common interests in Bank and other Detroit-based institutions and found them to be not significantly adverse.

As has been widely reported in the press and otherwise, Bank suffered serious financial reversals under its previous management. These financial difficulties necessitated an assistance program from the Federal Deposit Insurance Corporation ("the FDIC"), whereby the FDIC in an agreement dated January 18, 1972 with Bank, agreed to provide capital to Bank up to a maximum amount of \$60 million. As of July 31, 1973, \$35.5 million of capital notes had been issued pursuant to that agreement.

The purpose of the capital assistance program was to enable Bank to realize certain losses, principally market losses from the sale of long-term investment securities. Bank has disposed of the major portion of these securities and, as a result, is in a much improved liquidity position.

As a result of foreclosure on loans then outstanding, The Chase Manhattan Bank, N.A., New York, New York, ("Chase") acquired control of Bank in February, 1971, but, in accordance with the provisions of section 3 of the Bank Holding Company Act, was required to divest itself of its interests in Bank within two years. In 1972, Chase's interests in Bank were sold to Mr. Barnes. Under the Chase and Barnes ownership, new policies designed to improve Bank's condition, were instituted.

In summary, Bank is in the process of attempting to regain its posture as a viable and competitive institution. The Board believes that it is in the public interest to maintain control of Bank in the hands of local interests of good repute and that approval of this application would aid present management in this regard.

The management, financial condition, and prospects of Applicant are all consistent with approval of the application. Applicant would incur substantial debt in order to make the proposed acquisition. However, as the Board has previously noted, acquisition debt must be considered in light of an applicant's ability to service that debt without adversely affecting the capital structure of its subsidiary bank.

Since Bank is presently prohibited from declaring dividends without approval of supervisory agencies and, under agreement with the FDIC referred to above, is prohibited from entering into transactions with its directors, officers, or principal stockholders, there is no likelihood that Applicant will utilize Bank's resources to service its acquisition debt. Instead, Applicant expects to retire that debt by utilizing its own earnings from the provision of data processing services and from advances from its shareholders.

In the Board's view, consummation of the proposed transaction would serve to reinforce efforts to restore Bank to a sound and firm financial and competitive condition. To the extent such efforts succeed, the convenience and needs of the community to be served would be promoted by the renewed presence of Bank as both a ready source of banking services and a competitive force in the Detroit area. The Board finds that any anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served. It is the Board's judgment that the proposed transaction would be in the public interest, and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the thirtieth calendar day following the effective date of this Order, or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Chicago pursuant to delegated authority.

By order of the Board of Governors,¹ effective September 11, 1973.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.
[FR Doc. 73-19767 Filed 9-17-73; 8:45 am]

FIRST NATIONAL BOSTON CORP.

Order Approving Acquisition of Banks

First National Boston Corporation, Boston, Massachusetts, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire all of the voting shares of the following banks located in Massachusetts: (1) First Bank and Trust Company of Wellesley, Wellesley ("Wellesley Bank"); and (2) Burlington Bank and Trust Company, Burlington ("Burlington Bank").

Notice of the applications, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b)

of the Act. The time for filing comments and views has expired, and none has been timely received. The Board has considered the applications in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the largest banking organization and bank holding company in Massachusetts, controls one bank with aggregate deposits of \$2.7 billion, representing about 23 percent of total deposits in commercial banks in the State.¹ Consummation of the two proposals would increase Applicant's share of commercial bank deposits by .2 percentage points,² and this would not result in a significant increase in the concentration of banking resources in the State.

Wellesley Bank (deposits of \$8.6 million) and Burlington Bank (deposits of \$12.8 million) are the 58th and 46th largest of 69 commercial banks in the Boston banking market, which is approximated by the Boston SMSA, and control, respectively, 0.1 and 0.2 percent of market deposits. Applicant's present subsidiary bank, the First National Bank of Boston ("First National"), is located in the Boston banking market, where it controls 32.7 percent of deposits in commercial banks. First National is located 10 miles from Wellesley Bank and 13 miles from Burlington Bank. Although Wellesley Bank and Burlington Bank are located in the same market as First National, it does not appear that a significant amount of existing competition would be eliminated upon consummation of these proposals. This conclusion is based, in part, upon the fact that First National's banking business is largely wholesale in nature while the business of Wellesley Bank and Burlington Bank, both single-office banks, is a retail business. First National derives 74 percent of its total deposits and 64 percent of its IPC demand deposits from accounts in excess of \$100,000. First National derives less than 3.0 percent, or approximately \$48 million, of its total demand and savings deposits from Wellesley Bank's primary service area. Similarly, First National derives 1.3 percent, or about \$24 million, of its total demand and savings deposits from Burlington Bank's primary service area. Neither Wellesley Bank nor Burlington Bank derives a significant amount of their loans or deposits from First National's primary service area.

Although First National is located in the same market as Wellesley Bank and Burlington Bank, First National is restricted by State law from branching into the County in which each Bank is located. Several other independent banks are located in both Wellesley Bank's and Burlington Bank's service area and

County, and it does not appear that Applicant's acquisition of either Bank would result in barriers to entry into those areas by other banking organizations. Further, it does not appear that Applicant's entry into either Bank's market by an alternative acquisition of a small independent bank would present significantly different competitive considerations. Although Applicant has the financial and managerial resources to enter either Wellesley Bank's or Burlington Bank's service area de novo, the Board views the proposed acquisitions as "foothold" entries that are tantamount to de novo entry in view of the small size of each Bank, both absolutely and relatively. In addition, since Wellesley Bank is the smallest bank in a service area where three banks that are holding company subsidiaries control in excess of 56 percent of deposits, Applicant's acquisition of Wellesley Bank would likely increase that Bank's competitive effectiveness. Similarly, Burlington Bank controls less than 7 percent of deposits in an area where two banks that are holding company subsidiaries control more than 60 percent of area deposits. Accordingly, Applicant's acquisition of Burlington Bank would likely increase that Bank's ability to compete with the larger banks located in its area, particularly in view of considerations relating to its financial and managerial resources, discussed hereinafter. On the balance, therefore, the Board finds that no significant potential competition would be eliminated upon consummation of these proposals.

The financial and managerial resources and future prospects of Applicant and First National are satisfactory and consistent with approval of the application. Wellesley Bank has experienced a significant growth in deposits in the past four years, yet its capital has declined. Accordingly, Applicant's assurance to provide Wellesley Bank with additional capital will enhance that Bank's financial resources and future prospects, and this consideration lends some weight toward approval. The financial and managerial resources and future prospects of Burlington Bank are considered to be poor. Bank has experienced substantial loan losses since 1970, its capital-to-assets ratio has declined and it is presently in need of capital. Further, in view of Bank's difficulties, management is in need of strengthening. Applicant proposes to increase Burlington Bank's capital by a minimum of \$300,000 within six months of consummation and to provide managerial strength to Burlington Bank. The future prospects of Burlington Bank with Applicant's assistance appear to be favorable, and these considerations provide strong weight toward approval of the application.

There is no evidence that any major banking needs of the areas served by Wellesley Bank or Burlington Bank are currently going unserved. However, Applicant proposes to offer, through Wellesley Bank, investment management

¹ Banking data are as of June 30, 1972, adjusted to reflect holding company formations and acquisitions approved through July 13, 1973.

² By Order of this date, the Board approved Applicant's acquisition of the successor to the Holyoke National Bank, Holyoke, Massachusetts, which controls 0.2 percentage points of Statewide deposits.

¹ Voting for this action: Vice Chairman Mitchell and Governors Daane, Brimmer, Sheehan, Bucher, and Holland. Absent and not voting: Chairman Burns.

services for the small investor and revolving 48-month car loans which are new services not currently provided in the area. Convenience and needs factors with respect to Wellesley Bank are consistent with and lend some weight toward approval. Applicant proposes to increase and improve the services currently offered by Burlington Bank in providing overdraft checking, revolving 48-month car loans, credit card and trust services. Updating Burlington Bank's services should make it more competitive and more responsive to the needs of its customers. These considerations provide weight toward approval of the acquisition of Burlington Bank. It is the Board's judgment that the proposed transactions are in the public interest and should be approved.

On the basis of the record,²⁴ the applications are approved for the reasons summarized above. The transactions shall not be consummated (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Boston pursuant to delegated authority.

By order of the Board of Governors,²⁵ effective September 4, 1973.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.73-19791 Filed 9-17-73;8:45 am]

FIRST STEUBEN BANCORP, INC.

Acquisition of Bank

First Steuben Bancorp, Inc., Steubenville, Ohio, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of the successor by merger to The Farmers National Bank of Salem, Salem, Ohio. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Cleveland. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than October 8, 1973.

Board of Governors of the Federal Reserve System, September 10, 1973.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.73-19771 Filed 9-17-73;8:45 am]

²⁴ Dissenting Statement of Governor Brimmer filed as part of the original document. Copies available on request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Boston.

²⁵ Voting for this action: Chairman Burns and Governors Sheehan, Bucher, and Holland. Voting against this action: Governor Brimmer. Absent and not voting: Governors Mitchell and Daane.

LLOYDS BANK LTD.

Formation of Bank Holding Company

Lloyds Bank Limited, London, England, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of up to 100 percent of the voting shares of First Western Bank and Trust Company, Los Angeles, California, either directly or indirectly through the formation of a wholly-owned subsidiary corporation to be formed under the laws of one of the United States. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of San Francisco. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than October 8, 1973.

Board of Governors of the Federal Reserve System, September 11, 1973.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.73-19763 Filed 9-17-73;8:45 am]

MARINE MIDLAND BANKS, INC.

Proposed Acquisition of American Dimensions, Inc.

Marine Midland Banks, Inc., Buffalo, New York has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire voting shares of American Dimensions, Inc., Irvine, California, which wholly owns The Mearns Co., Riverside, which in turn, wholly owns The Mearns Insurance Agency, Riverside, and Ideal Escrow Service, Riverside, all located in California. (The proposed transaction contemplates that American Dimensions, Inc. will divest itself of The Mearns Insurance Agency on or before January 1, 1974.) Notices of the application were published between July 19 and 25, 1973, inclusive, in newspapers of general circulation in the following locations: Irvine, Cerritos, Covina, Riverside, San Bernardino, Pomona and Reseda, California; Phoenix, Arizona; Las Vegas, Nevada; and Buffalo, New York.

Applicant states that upon consummation of the proposed transaction and after divestiture of The Mearns Insurance Agency, the proposed subsidiary through the above two companies would engage in the following activities: (1) make or acquire real estate loans for its own account or for the account of others; (2) service real estate loans for its own account or for the account of others; and (3) provide escrow service in connection with real estate loans made, acquired, or serviced for its own account or the account of others. One or a combination of these activities will be

conducted at the aforementioned locations in California, Arizona, and Nevada.

Applicant states that such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of New York.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than October 8, 1973.

Board of Governors of the Federal Reserve System, September 11, 1973.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.73-19794 Filed 9-17-73;8:45 am]

PERPETUAL CORP. AND PIERCE NATIONAL LIFE INSURANCE CO.

Order Granting Determination Under Bank Holding Company Act

In the matter of the request by Perpetual Corporation ("Perpetual") and its wholly-owned subsidiary, Pierce National Life Insurance Company ("Pierce"), both of Los Angeles, California, for a determination pursuant to section 2(g)(3) of the Bank Holding Company Act of 1956, as amended.

Perpetual and Pierce are considered to be bank holding companies within the meaning of section 2(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(a)), by virtue of Perpetual's ownership of 63.3 percent of the voting stock of Houston Citizens Bank & Trust Company ("Houston-Citizens"), Houston, Texas, of which amount 18.8 percent was directly held and 44.5 percent was owned by Pierce. Perpetual and Pierce seek to terminate said status as bank holding companies as a result of having transferred all of their shares of Houston-Citizens to First International Bancshares, Inc. ("First International"), Dallas, Texas.¹

¹ First International became a multi-bank holding company on December 31, 1972, through its acquisition of 100 percent of both First National Bank in Dallas and Houston-Citizens.

Perpetual and Pierce seek a determination pursuant to section 2(g)(3) of the Bank Holding Company Act of 1956, as amended, that notwithstanding an interlocking director relationship among Perpetual, Pierce, and First International, Perpetual and Pierce will not be capable of controlling the transferee of the shares of the aforementioned Houston-Citizens. Mr. Joe L. Allbritton is a director of Perpetual and of Pierce, and also serves as a director of First International.

Under the provision of section 2(g)(3) of the Act (12 U.S.C. 1841(g)(3)), shares transferred after January 1, 1966, by any bank holding company to a transferee that has one or more officers, directors, trustees, or beneficiaries in common with or subject to control by the transferor, are deemed to be indirectly owned or controlled by the transferor unless the Board of Governors of the Federal Reserve System, after opportunity for hearing, determines that the transferor is not in fact capable of controlling the transferee.

Perpetual and Pierce have submitted to the Board documentary evidence to support their contention that they do not in fact control First International.

Notice of an opportunity for hearing with respect to the request of Perpetual and Pierce for a determination under section 2(g)(3) was published in the FEDERAL REGISTER on February 8, 1973 (38 FR 3628). The time provided for requesting a hearing expired on March 12, 1973. No such request has been received by the Board, nor has any evidence been received to show that Perpetual or Pierce, either jointly or severally, is in fact capable of controlling First International.

It is hereby determined that neither Perpetual nor Pierce, acting jointly or severally, is in fact capable of controlling First International. This determination is based upon the evidence of record in this matter, including (1) certified copies of resolutions passed by the Boards of Directors of Perpetual, Pierce, First International, and Houston-Citizens, all of which are to the effect that there is no understanding or agreement whereby First International or any of its subsidiaries is under the control of Perpetual or Pierce or any stockholders or officers or representatives thereof; and that there is no arrangement whereby any interlocking directors are given any greater power or authority on the Board of Directors of First International or any subsidiary thereof, than such interlocking directors would otherwise have; (2) an affidavit by Mr. Joe L. Allbritton stating, in essence, that he is not acting pursuant to any contracts, written or oral, or other agreement or understanding, express or implied, with Perpetual, Pierce, or any other person or corporation, to attempt to control First International or any subsidiary thereof; and (3) letters of January 17, 1973 and August 24, 1973, from Counsel for Perpetual and Pierce containing analyses of the

legal and factual implications of potential corporate control arising from the subject interlocking directorate.

Accordingly, it is ordered, That the request of Perpetual and Pierce for a determination pursuant to section 2(g)(3) be and hereby is granted.

By order of the Board of Governors, acting through its General Counsel pursuant to delegated authority (12 CFR 265.2), September 11, 1973.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.
[FR Doc. 73-19764 Filed 9-14-73; 8:45 am]

PHILADELPHIA NATIONAL CORP. Order Approving Retention of Congress Factors Corp.

Philadelphia National Corporation (formerly PNB Corporation), Philadelphia, Pennsylvania, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 4(c)(8) of the Act and § 225.4(b)(2) of the Board's Regulation Y, to retain 80 percent of the common stock of Congress Factors Corporation, Philadelphia, Pennsylvania ("Factors"), a company that engages directly in the activities of purchasing of accounts receivable, principally on a non-recourse basis ("factoring"), and of making loans to commercial customers, secured by accounts receivable, inventory, equipment, and/or real estate ("commercial lending"). Congress Financial Corporation ("Financial") and Congress Credit Corporation ("Credit"), both of Philadelphia, Pennsylvania, are wholly-owned subsidiaries of Factors and engage solely in commercial lending. Such activities have been determined by the Board to be closely related to banking (12 CFR 225.4(a)(1)). The shares of Factors are presently held by the Philadelphia National Bank, Philadelphia, Pennsylvania ("Bank"), a wholly-owned (except for directors' qualifying shares) subsidiary of Applicant. Applicant, besides seeking approval of its retention of these shares, seeks approval to transfer those shares from Bank to itself.

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (38 FR 18495). The time for filing comments and views has expired, and none has been received.

Applicant, the fourth largest banking organization in Pennsylvania, controls one bank with total domestic deposits of \$2.0 billion, representing 5.6 percent of the total domestic deposits in commercial banks in Pennsylvania.¹ Applicant's direct nonbanking subsidiaries include a commercial finance company, a consumer finance holding company, a residential mortgage origination com-

pany, and an internal financing company.

Factors is engaged in both maturity and discount factoring,² as well as commercial lending. Factors, Financial, and Credit conduct business from their principal operating office in New York, New York, although headquartered in Philadelphia. Financial also operates a sales referral office in Miami, Florida, and Credit principally operates from an office in Hato Rey, Puerto Rico. Factors engages in factoring primarily in the New York area. During 1972, it had annual factoring volume of \$210 million, representing 1.5 percent of total commercial factored accounts held by the 25 largest factoring firms. It is estimated that Factors is thereby the 22nd largest of such firms.

Neither Applicant nor any of its subsidiaries (other than Factors) are presently, nor have ever been, engaged in factoring other than to a limited degree. Accordingly, no significant existing competition in that line of commerce would be eliminated upon consummation of the proposed transaction nor was any significant existing competition eliminated by Bank's acquisition of shares of Factors in 1967. There is a considerable number of potential entrants into that line of commerce, and Applicant is not considered one of the most likely such entrants. Accordingly, no future competition would be foreclosed in that line of commerce upon approval of this application.

Applicant's commercial finance subsidiary, PNB Commercial Finance Corporation ("CFC") held loans of approximately \$2 million outstanding at year-end 1972 and primarily serves the Philadelphia metropolitan area. Factors, Financial, and Credit, holding aggregate commercial loans amounting to \$28.5 million outstanding at year-end 1972, engage in the same line of commerce as does CFC. However, they primarily serve borrowers in New York, New Jersey, Florida, and Puerto Rico, and do not significantly compete in the Philadelphia area. As of December 31, 1972, Financial had outstanding commercial loans of \$0.8 million derived from the Philadelphia area. Credit and Factors had none. Bank itself neither engages in a factoring business nor in making the type of high-risk commercial loans made by Financial and Credit. Further, Applicant's retention and intra-corporate transfer of the Congress companies are not expected to adversely affect the availability of credit to competitors of those companies. In fact, Bank has increased its lines of credit to those competitors since the acquisition of Factors in 1967. The Board concludes that the retention and intra-corporate

² In maturity factoring, payment to the seller of the accounts receivable is not made until the receivables are expected to have been collected by Factors. In discount factoring, funds are advanced to the seller prior to the collection of the receivables.

¹ Banking data are as of December 31, 1972.

transfer of Congress and its subsidiaries would have no significant adverse effect on existing or future competition.

There is no evidence in the record to indicate that the proposed retention would lead to an undue concentration of resources, conflicts of interests, or unsound banking practices. Applicant's retention and intra-corporate transfer of Factors should result in benefits to the public by indirectly increasing the amount of financial resources available to Factors and its subsidiaries. Since its acquisition by Bank in 1967, Factors has experienced significant growth and has enhanced its competitive strength, partially as a result of its ability, as a subsidiary of a bank holding company, to secure funds through the commercial paper market at a lower cost than through bank financing, and thereby to maintain aggressive competitive pricing.

Based upon the foregoing and other considerations reflected in the record, the Board has determined that the balance of the public interest factors the Board is required to consider under section 4(c)(8) is favorable. Accordingly, the application is hereby approved. The intra-corporate transfer shall not be consummated later than three months after the effective date of this Order, unless such period is extended for good cause by the Federal Reserve Bank of Philadelphia pursuant to authority delegated hereby. This determination is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

By order of the Board of Governors,* effective September 11, 1973.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc.73-19769 Filed 9-17-73; 8:45 am]

REPUBLIC NATIONAL BANK OF DALLAS **Determination Regarding "Grandfather"** **Privileges Under Bank Holding Company** **Act**

Section 4 of the Bank Holding Company Act (12 U.S.C. 1843) provides certain privileges ("grandfather" privileges) with respect to nonbanking activities of a company that, by virtue of the 1970 Amendments to the Bank Holding Company Act, became subject to the Bank Holding Company Act. Pursuant to section 4(a)(2) of the Act, a "company covered in 1970" may continue to engage, either directly or through a subsidiary, in nonbanking activities that such a company was lawfully engaged in on June 30,

1968 (or on a date subsequent to June 30, 1968, in the case of activities carried on as a result of the acquisition by such company or subsidiary, pursuant to a binding written contract entered into on or before June 30, 1968, of another company engaged in such activities at the time of the acquisition), and has been continuously engaged in since June 30, 1968 (or such subsequent date).

Section 4(a)(2) of the Act provides, inter alia, that the Board of Governors of the Federal Reserve System may terminate such grandfather privileges if, having due regard to the purposes of the Act, the Board determines that such action is necessary to prevent an undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices. With respect to a company that controls a bank with assets in excess of \$60 million on or after December 31, 1970, the Board is required to make such a determination within a two year period.

Notice of the Board's proposed review of grandfather privileges of The Republic National Bank of Dallas, Dallas, Texas, and an opportunity for interested persons to submit comments and views or request a hearing, has been given (37 FR 22414, 25204). The time for filing comments, views, and requests has expired, and all those received have been considered by the Board in light of the factors set forth in section 4(a)(2) of the Act.

The Republic National Bank of Dallas ("Registrant"), Dallas, Texas, became a bank holding company on December 31, 1970, as a result of the 1970 Amendments to the Act by virtue of Registrant's indirect control of approximately 30 percent of the voting shares of Oak Cliff Bank and Trust Company, Dallas, Texas (assets of about \$96 million, as of December 31, 1970). On July 13, 1973, the Board announced its finding that Registrant, a national bank, had authority to continue the activities of its six direct subsidiaries. The Board noted in its announcement that it was considering the question of Registrant's entitlement to grandfather privileges with respect to activities conducted by the Howard Corporation, et al., a group of corporations all the shares of which are held for the benefit of the shareholders of Registrant and, by virtue of section 2(g)(2) of the Act, are deemed to be controlled by Registrant.

On the evidence before it, the Board makes the following findings. Since 1928 the shareholders of Registrant have been the beneficiaries of an affiliated group of corporations under a trusteeship. These organizations, now known as "The Howard Corporation", a Texas trust which will terminate in 1978, was established in 1928. The trusteeship was the outgrowth of a consolidation in which assets ineligible for retention by a national bank were set aside in a separate trust for the benefit of the shareholders of Registrant. The trustee corporations also have stock interests in 21 other

Texas banks.¹ The net income for the Howard Corporation in 1971 amounted to over \$3 million, which includes \$1.4 million received as the result of equity interests in the earnings of Registrant and other companies. The consolidated assets for all the companies in the group amounted to \$153 million as of December 31, 1971.

Registrant claims grandfather privileges for various activities. Republic Commerce Company,² Dallas (assets of \$24 million as of December 31, 1971), holds 100 percent of the voting shares of Republic Money Orders, Inc., Dallas, the shares of which were received from the Savings and Profit Sharing Retirement Fund for the employees of Registrant, which fund had held the stock from 1959 to 1971. Republic Money Orders owns 100 percent of the stock of Republic Money Orders of California, Inc., Dallas, and each of these firms is engaged in the business of selling and servicing money orders and travelers check. The combined assets of the two companies as of December 31, 1971 amounted to about \$33 million. It appears that Registrant may continue its interests in these companies on the basis of grandfather privileges.

Republic National Bank Building Corporation³ (assets of \$706,000 as of December 31, 1971), which was acquired in 1951, operates and manages two buildings occupied by Registrant. Registrant need not rely on grandfather privileges for the continuation of its interest in this company inasmuch as it appears that the activities of the company are permissible on the basis of section 4(c)(1)(A).⁴

¹ The Board's action herein is based on Registrant's claim that it controlled only one bank on June 30, 1968, and therefore became a bank holding company covered by the Bank Holding Company Act as a result of the enactment of the 1970 Amendments to the Act. The record shows that Registrant has interests in each of 21 other banks ("minority" banks), interests ranging from 6 to 24.98 percent. The action herein does not constitute a determination by the Board that any of the minority banks is or is not, or may become a subsidiary of Registrant. Nor does the action herein indicate that the Board would in the future permit Registrant to acquire, directly or indirectly, any additional shares of any of said minority banks. Moreover the action herein does not preclude the Board from determining that Applicant exercises control of, or a controlling influence over the management or policies of, any of said banks within the meaning of section 2(a) of the Act.

² All the shares of Republic Commerce Company are held for the benefit of the shareholders of Registrant.

³ All the shares of Republic National Bank Building Corporation are held for the benefit of the shareholders of Registrant.

⁴ Section 4(c)(1)(A) of the Act permits a bank holding company (without the approval of the Board) to hold shares of any company engaged in " * * * holding or operating properties used wholly or substantially by any banking subsidiary of such bank holding company in the operations of such banking subsidiary or acquired for such future use."

* Voting for this action: Vice Chairman Mitchell and Governors Sheehan, Bucher and Holland. Absent and not voting: Chairman Burns and Governors Daane and Brimmer.

Exchange Security & Investment Co.⁶ (assets of \$160,000 as of December 31, 1971) was formed in June, 1970 for the purpose of acquiring Exchange National Life Insurance Company (admitted assets of \$638,000 as of December 31, 1971), which was acquired subsequently in November 1970, and reinsures credit life and disability insurance policies. Since these interests were acquired after June 30, 1968, Registrant is not entitled to indefinite grandfather privileges and must reduce its interest to 5 per cent or less of the voting shares by December 31, 1980, unless Registrant obtains Board approval under section 4(c)(8) to retain the interest.

Except for the activities engaged in by the above corporations, the principal activities of the Howard Corporation⁷ and its subsidiaries are in the areas of oil, gas, minerals; real estate; lending and/or guaranteeing money and acting as a financial advisor; and owning and holding stocks and bonds in various companies.

The Howard Corporation itself engages directly in managing all the affiliated corporations and, in connection with the management of the affiliated corporations, engages in borrowing and lending money, acting as investment counselor, and furnishing management and financial advisory services. It appears that these activities are eligible for, and may be continually on the basis of, grandfather privileges. The Howard Corporation also holds investments in (1) securities, (2) oil, gas, mineral properties, and (3) real estate activities.

The securities investments of the Howard Corporation appear to be generally permissible for a bank holding company so long as the share holdings in each company do not exceed 5 percent of the outstanding voting shares of the company.⁸ Shareholdings of more than 5 percent of the shares of any company (but less than 25 percent of the outstanding shares) which have been held continuously since June 30, 1968, are eligible for grandfather benefits as an investment. However, this determination is not authority to increase that investment interest; nor to make investments in other companies, unless the investment interest in each additional company amounts to not more than 5 percent of the outstanding voting shares of such company.

With respect to oil, gas, and mineral interests, the Howard Corporation and its subsidiaries have investments in approximately 600 interests principally in Texas

and Louisiana. Neither the Howard Corporation nor its subsidiaries engage in the developing, mining, drilling, etc., of oil, gas, or other minerals, nor in acting as an operator, servicer, or producer in connection with oil, gas, or mineral activities. On a grandfather basis, Registrant may continue, through the Howard Corporation, the investments in the oil, gas, and mineral properties held on June 30, 1968, and, to the extent necessary to preserve and develop those interests, may continue activities related to the wells, refineries, pipe lines, joint ventures, and land exploration with respect to which the Howard Corporation had investments on June 30, 1968.

United Petroleum Corporation, Dallas (assets of \$173,000 as of December 31, 1971), and Walker Properties, Dallas, each of which is 50 percent owned by the Howard Corporation, hold title to and participate as investors in oil, gas, and mineral interests, and participate as investors in drilling and operating oil and gas wells. Pine Island Oil Company (assets of \$44,000 as of December 31, 1971), Lake Charles, Louisiana, which is 50 percent owned by the Howard Corporation, owns certain oil, gas, and mineral interests. Walker Louisiana Properties, Louisiana, a joint venture 50 percent owned by the Howard Corporation, owns certain oil, gas and mineral interests, as well as farm and timber land, and participates as an investor in drilling and operating oil and gas wells. Prairie Canal Company (assets of \$718,000 as of December 31, 1971), Lake Charles, Louisiana, 32.9 percent of which is owned by the Howard Corporation, owns and holds title to oil, gas and mineral interests. In varying degrees as described below, each of the five entities named above, owns real estate properties as an adjunct to the oil, gas, and mineral interests. To the extent that the oil, gas, and mineral interests described above were held on June 30, 1968, Registrant is entitled to grandfather benefits to retain such investments.

In addition to the above activities of the Howard Corporation and its subsidiaries, Registrant is deemed to control, by virtue of section 2(g)(2) of the Act, MacMor Oil Company, Boyce Oil Company, and MacBean Oil Company, all located in Dallas and owned 100 percent by the Savings and Profit Sharing Retirement Fund for the employees of Registrant. These companies were formed, all prior to June 30, 1968, for the sole purpose of holding title to oil and gas production payments. When all the production payments are paid out, the three organizations will be nothing more than corporate shells. At the present time, only MacMor Oil and MacBean Oil are active, and Registrant may continue its interests in these companies on the basis of grandfather privileges.

In connection with oil, gas, and mineral interests, Registrant, through the Howard Corporation, has made acquisitions of additional mineral interests after June 30, 1968. To the extent that those additional acquisitions were re-

lated to and necessary to protect oil, gas, and mineral investments held on June 30, 1968, they may be retained on the basis of grandfather privileges. Investments made during the period from June 30, 1968, to December 31, 1970, that were not so related may be retained until December 31, 1980. Any other investments made after December 31, 1970, and in excess of a 5 percent interest are required by the Act to be reduced to 5 percent or less and this should be effected at the earliest practicable date.

The Howard Corporation acts as a financing partner or investor in real estate. As noted above, Pine Island Oil, Walker Louisiana Properties, Prairie Canal, United Petroleum Company and Walker Properties are each engaged in holding real estate principally as an adjunct to oil, gas, and mineral interests but used also for commercial, residential, and agricultural purposes. The property is not a contiguous tract but scattered acreage throughout southern Louisiana, Texas, and other states.

Three wholly-owned subsidiaries of The Howard Corporation were organized to acquire, hold, manage, operate, and sell real and personal property acquired by Registrant through loan foreclosures. The three subsidiaries, namely, Rheims Corporation (assets of \$408,000 as of December 31, 1971), which was acquired in 1958; Fairfax Investment Corporation (assets of \$3,300 as of December 31, 1971), which was acquired in 1959; and Westside Investment Corporation (assets of about \$100 as of December 31, 1971), which was acquired in 1959; appear to be eligible for retention without reference to grandfather benefits by virtue of section 4(c)(1)(D) of the Act.⁹

The Howard Corporation owns six shopping centers, two in California, three in Texas, and one in Louisiana, all of which were acquired prior to June 30, 1968. Registrant is entitled to retain these properties on the basis of grandfather privileges.

Three other subsidiaries of the Howard Corporation are engaged in real estate ventures. The Oxford Corporation (assets of \$1 million as of December 31, 1971), which was acquired in 1969, acts as an investing partner in acquisition, development, operation and sale of realty. The Oxford Corporation has a 50 percent interest in each of two other companies, namely, Westgate Company and Polk Wheatland Company, which engage in activities similar to Oxford's. Inasmuch as Registrant's interest in these corporations was made after June 30, 1968, but before December 31, 1970, the companies do not appear to be entitled to grandfather privileges, and Registrant must reduce its interest to 5 percent or less of the voting shares by December 31, 1980, unless it obtains Board approval to retain its interests.

⁹ Section 4(c)(1)(D) of the Act permits a bank holding company (without the approval of the Board) to hold shares of any company engaged in " * * * liquidating assets acquired from such bank holding or its banking subsidiaries * * *."

⁶ All the shares of Exchange Security & Investment Co. are held for the benefit of the shareholders of Registrant.

⁷ All the shares of the Howard Corporation are held for the benefit of the shareholders of Registrant.

⁸ Section 4(c)(6) of the Act permits a bank holding company (without the approval of the Board) to hold "shares of any company which do not include more than 5 per centum of the outstanding voting shares of such company;"

The Westminster Corporation (assets of \$21,000 as of December 31, 1971), a wholly-owned subsidiary of the Howard Corporation, was acquired in 1969 and has as its only assets an option on an oil refinery. Registrant may continue to hold this interest until December 31, 1980.

Since June 30, 1968, Registrant, through the Howard Corporation and its subsidiaries, has purchased real estate or has become a partner and invested in several joint ventures engaged in buying real estate for further development and/or appreciation in value. In many instances, the acquisition was made after December 31, 1970, the date of the 1970 Amendments to the Act, and, on the basis of the prohibitions in section 4 of the Act, impermissible unless Registrant had grandfather privileges for such investments. Registrant should reduce its interest in each joint venture or real estate (acquired after December 31, 1970) to 5 percent or less at the earliest practicable date. With respect to investments in joint ventures or real estate made between June 30, 1970, Registrant had grandfather privileges for such investments. Registrant should reduce its interest in each joint venture or real estate (acquired after December 31, 1970) to 5 percent or less at the earliest practicable date. With respect to investments in joint ventures or real estate made between June 30, 1968, and December 31, 1970, Registrant has until December 31, 1980, to reduce its interest to 5 percent or less. Any interest in a joint venture for real estate or real estate acquired prior to June 30, 1968, may be retained indefinitely together with investments related to or necessary to protect real estate investments held on June 30, 1968.

On the basis of the foregoing and all the facts before the Board, it appears that the volume, scope, and nature of the activities of Registrant described herein and of the Howard Corporation, do not demonstrate an undue concentration of resources, decreased or unfair competition, conflicts of interest, nor unsound banking practices.

There appears to be no reason to require Registrant to terminate its grandfathered interests. It is the Board's judgment that, at this time, termination of the grandfather privileges of Registrant described herein is not necessary in order to prevent an undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices. Except as indicated herein, this determination is not authority to enter into any new activity, or product extension that was not engaged in on June 30, 1968 and continuously thereafter, or any activity that is not the subject of this determination.

A significant alteration in the nature or extension of Registrant's activities or a change in location thereof (significantly different from any described in this determination) will be cause for a re-evaluation by the Board of Registrant's

activities under the provisions of section 4(a)(2) of the Act, that is, whenever the alteration or change is such that the Board finds that a termination of the grandfather privileges is necessary to prevent an undue concentration of resources or any of the other evils at which the Act is directed. No merger, consolidation, acquisition of assets other than in the ordinary course of business, nor acquisition of any interest in a going concern, to which the Registrant or any nonbank subsidiary thereof is a party, may be consummated without prior approval of the Board. Further, the provision of any credit, property, or service by the Registrant or any subsidiary thereof shall not be subject to any condition which, if imposed by a bank, would constitute an unlawful tie-in arrangement under section 106 of the Bank Holding Company Act Amendments of 1970.

The determination herein does not preclude a later review, by the Board, of Registrant's nonbank activities and a future determination by the Board in favor of termination of grandfather benefits of Registrant. The determination herein is subject to the Board's authority to require modification or termination of the activities of Registrant or any of its nonbanking subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

By determination of the Board of Governors,² effective September 10, 1973.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc.73-19774 Filed 9-17-73; 8:45 am]

*SOUTHEAST BANKING CORP.

Order Denying Request for Reconsideration

Southeast Banking Corporation, Miami, Florida, has requested reconsideration of the Order of the Board of Governors dated May 29, 1973 whereby the Board denied the application of Southeast Banking Corporation to acquire 80 percent or more of the voting shares of Deland State Bank, Deland, Florida, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)).

Pursuant to § 262.3(g)(5) of the Board's Rules, Applicant requests reconsideration of its original proposal. The Board finds that the request for reconsideration does not present substantially new facts or issues which would appear appropriate in the public interest for the Board to consider. Accordingly, the Board concludes that the request for reconsideration is hereby denied.

* Voting for this action: Vice Chairman Mitchell and Governors Daane, Brimmer, Sheehan, Bucher, and Holland. Absent and not voting: Chairman Burns.

By order of the Board of Governors,¹ effective September 10, 1973.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc.73-19768 Filed 9-17-73; 8:45 am]

SOUTHWEST FLORIDA BANKS, INC.

Acquisition of Banks

Southwest Florida Banks, Inc., Fort Myers, Florida, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of South First Bank, Fort Myers, Florida, and North First Bank, North Fort Myers, Florida, both proposed new banks. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The applications may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the applications should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than October 8, 1973.

Board of Governors of the Federal Reserve System, September 11, 1973.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.73-19762 Filed 9-17-73; 8:45 am]

STANDARD AND CHARTERED BANKING GROUP LTD.

Proposed Acquisition of Mocatta Metals Corp.

Standard and Chartered Banking Group Limited, London, England, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire voting shares of Mocatta Metals Corporation, New York, New York, a corporation to be formed under the laws of Delaware, which would be a successor corporation to Mocatta Metals Corporation of New York and thereby to indirectly acquire voting shares of the following corporations, which are wholly-owned subsidiaries of Mocatta Metals Corporation of New York: Iron Mountain Depository Corporation, New York, New York; Mocatta Commodities Corporation, New York, New York; Brody, White & Company, Inc., New York, New York; Mocatta Clearing Corporation, New York, New York; and I.M.D. Chicago, Inc., Chicago, Illinois. Notice of the application was published on August 8, 1973 in the New York Post, a newspaper circulated in New York, New York.

¹ Voting for this action: Chairman Burns and Governors Mitchell, Brimmer, Sheehan, Bucher and Holland. Absent and not voting: Governor Daane.

Mocatta metals corporation would directly, and indirectly through its subsidiaries, engage in the activities of trading and arbitraging gold and silver bullion on various exchanges and in the open market, and also in activities related thereto.

Interested persons may express their views on whether such activities are so closely related to banking or managing or controlling banks as to be a proper incident thereto. Interested persons may also express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any requests for a hearing on this question, or on the issue of whether trading and arbitraging gold and silver bullion is closely related to banking or managing or controlling banks as to be a proper incident thereto, should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of San Francisco.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than September 24, 1973.

Board of Governors of the Federal Reserve System, September 10, 1973.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.
[FR Doc. 73-19773 Filed 9-17-73; 8:45 am]

WYOMING BANCORPORATION

Order Approving Acquisition of Bank

Wyoming Bancorporation, Cheyenne Wyoming, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire indirectly at least 75 percent of the voting shares of Security Bank and Trust Company, Casper, Wyoming ("Bank"), through the direct acquisition of at least 80 percent of the voting shares of Security Bankshares, Inc., Casper, Wyoming ("Corporation"). Corporation owns 95 percent of the voting shares of Bank and no other assets except the land on which Bank's building is located. The proposed acquisition of Corporation is treated herein as the proposed acquisition of the shares of Bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been

given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant controls 12 banks with aggregate deposits of \$160 million, representing 14.4 percent of the total commercial bank deposits held by Wyoming banks and is the largest banking organization in the State. (All banking data are as of December 31, 1972, and reflect acquisitions and formations approved through August 31, 1973.) The acquisition of Bank (\$17 million deposits) would increase Applicant's share of State deposits by 1.6 percentage points.

Applicant is the largest and only Wyoming based bank holding company. However, the second and third largest bank holding companies operating in Wyoming are based in California and Utah, with total deposits of \$12 billion and \$1.3 billion, respectively. The five largest banking organizations in Wyoming control 18 banks and 45 percent of total State deposits. The concentration of deposits within the State is viewed as moderately high considering the small number of banks (71) presently in operation. Only three Wyoming banks hold deposits in excess of \$40 million, two of which are subsidiaries of multi-bank holding companies.

Bank, the third largest of five banks located in the City of Casper, controls approximately 7 percent of commercial deposits in the Natrona County market. The two largest banks in the market hold deposits of \$110 million and \$97 million, respectively, and together control approximately 87 percent of market deposits. Consummation of this proposal would represent Applicant's initial entry into the Natrona County market.

Applicant's nearest subsidiaries to Bank are located 106 miles and 97 miles from Casper. There is no significant present competition between any of Applicant's subsidiaries and Bank. Although Applicant could enter the area de novo (and indeed, has already applied for such a charter) or through the acquisition of a smaller bank, the proposed acquisition would appear to have no net anticompetitive effect on area banking in view of the presence of the two significantly larger banking organizations in the Natrona County market. Consummation of the proposal will undoubtedly enhance Bank's ability to compete in the market area, as well as assist toward some deconcentration of banking resources in this highly concentrated market. The Board concludes that the competitive effects of the proposal are consistent with approval of the application.

The financial condition of Applicant and its subsidiary banks are considered to be satisfactory, and their management are deemed capable. These same factors are also satisfactory with regard to Bank especially in view of Applicant's commitment to increase Bank's capital

accounts. Banking factors are therefore deemed consistent with approval of the application. The record indicates that the major banking needs of the area are being served at the present time. However, the proposed affiliation would enable Bank to compete for larger loans, become more active in the agricultural loan market, and expand its trust services. Accordingly, considerations relating to the convenience and needs of the area are consistent with approval of the application. It is the Board's judgment that consummation of the proposed transaction would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Kansas City pursuant to delegated authority.

By order of the Board of Governors,¹
effective September 11, 1973.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.
[FR Doc. 73-19765 Filed 9-17-73; 8:45 am]

FIRST NATIONAL BOSTON CORP.

Order Approving Acquisition of Bank

First National Boston Corporation, Boston, Massachusetts, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire all of the voting shares (exclusive of directors' qualifying shares) of the successor by merger to the Holyoke National Bank, Holyoke, Massachusetts ("Bank"). The bank into which Bank is to be merged has no significance except as a means to facilitate the acquisition of the voting shares of Bank. Accordingly, the proposed acquisition of shares of the successor organization is treated herein as the proposed acquisition of the shares of Bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with § 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the largest banking organization and bank holding company in Massachusetts, controls one bank with aggregate deposits of \$2.7 billion representing about 23 percent of total deposits

¹ Voting for this action: Chairman Burns and Governors Mitchell, Brimmer, Sheehan, Bucher, and Holland. Absent and not voting: Governor Daane.

in commercial banks in the State.¹ Applicant's acquisition of Bank (deposits of \$26.9 million) would increase its share of Statewide deposits by .2 percentage points and would not result in any significant increase in the concentration of banking resources in Massachusetts.²

Bank is the fourth largest of fifteen commercial banking organizations competing in the Springfield-Chicopee-Holyoke banking market (which is approximated by the Springfield SMSA), controlling 4 percent of market deposits. Applicant's closest existing subsidiary banking office is located more than 90 miles from Bank, and it appears that there is no significant existing competition between Bank and any of Applicant's subsidiary banking offices. Due to the distance separating bank and Applicant's existing subsidiary banking offices and Massachusetts' restrictive branching laws, it appears unlikely that any significant competition would develop between the institutions in the future. Additionally, the three largest banks in the market control more than 76 percent of such deposits and consummation of the proposal would have a procompetitive effect by enhancing Bank's ability to compete with the larger institutions.

The financial and managerial resources and future prospects of Applicant and its subsidiary bank are satisfactory and consistent with approval. Bank faces a management succession problem. It is expected that Applicant will take steps to resolve Bank's management succession problem and this factor lends some weight toward approval of the application. Other considerations with respect to the financial and managerial resources and future prospects of Bank are consistent with approval.

Applicant proposes to offer through Bank new and improved services, including increased interest rates on savings deposits, additional types of consumer installment loans, and automated payroll services. Since some of the proposed new services are not currently available in Holyoke, consummation of this proposal will increase the convenience of Holyoke residents. Accordingly, considerations relating to the convenience and needs of the communities to be served are consistent with and lend some weight toward approval of the application. It is the Board's judgment that the transaction is in the public interest and should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not

be consummated (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Boston pursuant to delegated authority.

By order of the Board of Governors,³ effective September 4, 1973.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.
[FR Doc.73-19760 Filed 9-17-73; 8:45 am]

¹ Voting for this action: Chairman Burns and Governors Brimmer, Sheehan, Bucher and Holland. Absent and not voting: Governors Mitchell and Daane.

TABLE 1 AND NICOTINE² CONTENT OF ONE-HUNDRED THIRTY (130) VARIETIES OF DOMESTIC CIGARETTES

FEDERAL TRADE COMMISSION, AUGUST 1973

Brand	Type	TPM dry tar ¹ (mg/cig)	Nicotine ² (mg/cig)
Adam (brown) *	King size, filter	19	1.4
Do	100 mm, filter	19	1.5
Alpine	King size, filter, menthol	15	1.0
Belair	do	15	1.2
Do	100 mm, filter, menthol	18	1.4
Benson & Hedges	Regular size, filter (hard wide pack)	10	0.7
Do	King size, filter (hard wide pack)	16	1.2
Benson & Hedges 100's	100 mm, filter	18	1.3
Do	100 mm, filter, menthol	18	1.3
Bull Durham	King size, filter	20	2.0
Camel	Regular size, nonfilter	25	1.6
Do	King size, filter	19	1.3
Carlton 70's *	Regular size, filter	2	0.2
Carlton	King size, filter	4	0.4
Do	King size, filter, menthol	3	0.3
Chesterfield	Regular size, nonfilter	26	1.0
Do	King size, nonfilter	28	1.8
Do	King size, filter	19	1.4
Do	King size, filter, menthol	19	1.3
Do	101 mm, filter	19	1.5
Domino	King size, nonfilter	20	1.6
Do	King size, filter	21	1.3
Doral	do	16	1.1
Do	King size, filter, menthol	14	1.1
DuMaurier	King size, filter (hard wide pack)	16	1.2
Edgewood Export	King size, filter (hard pack)	19	1.4
Do	100 mm, filter	19	1.4
English Ovals	Regular size, nonfilter (hard wide pack)	23	1.7
Do	King size, nonfilter (hard wide pack)	28	2.1
Eve	100 mm, filter	18	1.4
Do	100 mm, filter, menthol	18	1.3
Fatima	King size, nonfilter	31	1.9
Frappe	King size, filter, menthol	9	0.3
Galaxy	King size, filter	18	1.3
Half & Half	do	24	1.8
Herbert Tareyton	King size, nonfilter	31	1.8
Home Run	Regular size, nonfilter	21	0.6
Iceberg 10	King size, filter, menthol	9	1.6
Kent	King size, filter (hard pack)	16	1.0
Do	King size, filter	16	1.0
Do	100 mm, filter	19	1.2
Do	100 mm, filter, menthol	18	1.3
King Sano	King size, filter	6	0.3
Do	King size, filter, menthol	7	0.3
Kool	Regular size, nonfilter, menthol	21	1.4
Do	King size, filter, menthol	16	1.3
Kool Milda	do	13	1.0
Kool	100 mm, filter, menthol	17	1.3
L & M	King size, filter (hard pack)	17	1.3
Do	King size, filter	19	1.4
Do	100 mm, filter	19	1.5
Do	100 mm, filter, menthol	19	1.4
Lark	King size, filter	17	1.2
Do	100 mm, filter	18	1.3
Life	100 mm, filter	10	0.6
Lucky Strike	Regular size, nonfilter	29	1.8
Lucky Filters	100 mm, filter	22	1.6
Lucky Ten	King size, filter	9	0.6
Mapleton	Regular size, nonfilter	28	1.2
Do	King size, filter	24	1.3
Marlboro	King size, filter (hard pack)	18	1.2
Do	King size, filter	18	1.2
Do	King size, filter, menthol	14	1.0
Do	100 mm, filter (hard pack)	18	1.3
Do	100 mm, filter	18	1.3
Marlboro Lights	King size, filter	14	1.0
Marvels	Regular size, filter	3	0.2
Do	King size, nonfilter	25	1.0
Do	King size, filter	5	0.3
Do	King size, filter, menthol	5	0.2
Mermaid	100 mm, filter, menthol	19	1.4
Montclair	King size, filter, menthol	18	1.3

Footnotes at end of table.

FEDERAL TRADE COMMISSION

CIGARETTE TESTING

Tar and Nicotine Content

The Federal Trade Commission's laboratory has determined the "tar" (dry particulate matter) and total alkaloid (reported as nicotine) content of 130 varieties of domestic cigarettes. The laboratory utilized the Cambridge filter method with the specifications set forth in the Commission's announcement dated July 31, 1967 (32 FR 11178). The varieties are arranged in alphabetical order with tar values rounded to the nearest whole milligram and nicotine values rounded to the nearest tenth of a milligram.

¹ Banking data are as of June 30, 1972, adjusted to reflect holding company formations and acquisitions approved through July 31, 1973.

² By Order of this date, the Board approved Applicant's acquisition of both First Bank and Trust Company of Wellesley and Burlington Bank and Trust Company, which together control 0.2 percentage points of Statewide deposits.

TAR AND NICOTINE CONTENT OF ONE-HUNDRED THIRTY (130) VARIETIES OF DOMESTIC CIGARETTES—Continued

FEDERAL TRADE COMMISSION, AUGUST 1973—Continued

Brand	Type	TPM dry tar ¹ (mg/cig)	Nicotine ² (mg/cig)
Multifilter	King size, filter (plastic box)	14	1.0
Do	King size, filter, menthol (plastic box)	12	0.9
Newport	King size, filter, menthol (hard pack)	19	1.3
Do	King size, filter, menthol	18	1.3
Do	100 mm, filter, menthol	22	1.6
Oasis	King size, filter, menthol	19	1.3
Old Gold Straights	King size, nonfilter	21	1.3
Do	King size, filter	26	1.6
Old Gold 100's	100 mm, filter	19	1.2
Old Gold Filters	King size, nonfilter	22	1.5
Pall Mall	King size, filter (hard pack)	29	1.9
Pall Mall Extra Mild	King size, filter	9	0.6
Do	King size, filter	10	0.7
Pall Mall	100 mm, filter	20	1.4
Do	100 mm, filter, menthol	17	1.3
Parliament	King size, filter (hard pack)	15	1.0
Do	King size, filter	14	1.0
Parliament 100's	100 mm, filter	17	1.2
Parliament	King size, charcoal filter (hard pack)	16	1.0
Do	King size, charcoal filter	15	1.0
Peter Stuyvesant	King size, filter	20	1.4
Do	100 mm, filter	19	1.4
Philip Morris	Regular size, nonfilter	23	1.4
Philip Morris Commander	King size, nonfilter	29	1.8
Picayune	Regular size, nonfilter	20	1.6
Piedmont	do	25	1.5
Players	Regular size, nonfilter (hard wide pack)	32	2.2
Raleigh	King size, nonfilter	25	1.6
Do	King size, filter	16	1.2
Do	100 mm, filter	15	1.3
St. Morris	do	20	1.4
Do	100 mm, filter, menthol	20	1.3
Salem	King size, filter, menthol	19	1.3
Do	100 mm, filter, menthol	19	1.4
Sano	Regular size, nonfilter	16	0.6
Do	Regular size, filter	4	0.2
Silva Thins	100 mm, filter	16	1.2
Do	100 mm, filter, menthol	16	1.2
Spring	do	20	1.2
Stratford	King size, nonfilter	33	1.4
Do	King size, filter	20	0.9
Tareyton	do	21	1.4
Do	100 mm, filter	21	1.5
Tempo	King size, filter	13	0.9
True	do	12	0.7
Do	King size, filter, menthol	11	0.7
Vantage	King size, filter	10	0.8
Do	King size, filter, menthol	11	0.9
Viceroy	King size, filter	15	1.1
Do	100 mm, filter	17	1.2
Virginia Slims	do	17	1.2
Do	100 mm, filter, menthol	17	1.2
Vogue (black)	King size, filter (hard wide pack)	30	1.2
Vogue (color)	do	22	0.9
Winston	King size, filter (hard pack)	20	1.4
Do	King size, filter	20	1.3
Do	100 mm, filter	20	1.3
Do	100 mm, filter, menthol	20	1.4

¹ TPM (tar)—milligrams total particulate matter less nicotine and water.² Milligrams total alkaloids reported as nicotine.³ Indicates color of cigarette paper.⁴ Limited availability based on reduced sampling from Washington, D.C., only.

By direction of the Commission, dated September 12, 1973.

[SEAL] CHARLES A. TOBIN,
Secretary.

[FR Doc.73-19681 Filed 9-17-73; 8:45 am]

QUARTERLY FINANCIAL STATISTICS
PROGRAM

Confidential Individual Company Data

Notice is hereby given that the Federal Trade Commission has amended Paragraphs 3, 7 and 8 of the rules and procedures as heretofore published (July 13, 1973, 38 FR 18720) to read as follows:

1. The third paragraph, Authorized access and use, is amended as follows:

Authorized access and use. Access to and use of individual company data within the FTC is restricted to members of the Division of Financial Statistics and the Statistical Reports Unit of the Economic Research and Services Section, both of which are part of the Bureau of

Economics and both of which have no involvement in any investigative or regulatory functions of the Federal Trade Commission. Access by members of the Division of Management is authorized only during and for the purpose of electronic processing of such data. Access to these data by other government agencies may be granted by specific approval of the Commission with the understanding that the same confidentiality structures apply with respect to the individual company data. Any agency which is granted access will be responsible for disclosure analysis consistent with these guidelines.

2. The seventh paragraph is amended as follows:

Under no conditions may the individual company data reported on the QFR schedule be used for, or in the course of, any enforcement action or enforcement investigation. Therefore, all persons not on the staffs of the Statistical Report Unit or Division of Financial Statistics, unless from another government agency

under conditions described above, will not be granted access to individual company information in the QFR files or data records; nor will personnel from either of these two units engage in any activity of the Commission which involves regulation or investigation, nor prepared any reports utilizing QFR data for such purposes while assigned to those units. Any employee who transfers into or out of either of the units will be formally notified in writing that he is subject to Section 10 of the Federal Trade Commission Act, the above-cited Commission Resolution, and these Rules, which prohibit disclosure, discussion, or release of these data to any unauthorized person.

3. The eighth paragraph is amended as follows:

Security of individual company QFR data. All individual company QFR schedules and data records at the Federal Trade Commission must at all times be under the security and supervision of the staff of either the Statistical Reports Unit or the Division of Financial Statistics, except during electronic data processing when the Chief, Division of Management, shall be responsible for their security, and except when the Commission has approved their use by another government agency under conditions described above.

By direction of the Commission dated September 12, 1973.

[SEAL] CHARLES A. TOBIN,
Secretary.

[FR Doc.73-19759 Filed 9-17-73; 8:45 am]

GENERAL SERVICES
ADMINISTRATION

Public Buildings Service

[Wildlife Order 110]

NATIONAL GUARD TRAINING AREA,
FORT CROWDER, NEWTON COUNTY, MO.

Transfer of Property

Pursuant to section 2 of Public Law 537, Eightieth Congress, approved May 19, 1948 (16 U.S.C. 667c), notice is hereby given that:

1. By a deed from the United States of America dated July 17, 1973, the property known as a portion of the National Guard, Training Area, Fort Crowder Missouri, consisting of approximately 150 acres of unimproved land, and more particularly described in said deed, has been conveyed to the State of Missouri.

2. The above described property was transferred for wildlife purposes in accordance with the provisions of section 1 of said Public Law 537 (16 U.S.C. 667b).

Dated September 10, 1973.

L. F. ROUSH,
Commissioner,
Public Buildings Service.

[FR Doc.73-19800 Filed 9-17-73; 8:45 am]

NATIONAL ADVISORY COMMITTEE ON OCEANS AND ATMOSPHERE

NOTICE OF PARTIALLY CLOSED MEETING

SEPTEMBER 13, 1973.

The National Advisory Committee on Oceans and Atmosphere (NACOA) will hold a 3-day meeting on September 27-29. The first session, Thursday the 27th, will be closed to the public under authorization of the Assistant Secretary of Commerce for Administration, in a determination dated September 7, 1973, and cosigned by the General Counsel, which finds that the session is concerned with matters listed in section 552(b) of title 5, United States Code. The other two sessions will be open to the public. All sessions will be held in room 6802 of the U.S. Department of Commerce Building, 15th and Constitution NW., Washington, D.C. The Thursday session will commence at 10 a.m., the others will begin at 9 a.m.

The Committee, consisting of 25 non-Federal members appointed by the President from State and local governments, industry, science, and other appropriate areas, was established by Congress by Public Law 92-125, on August 16, 1971. Its duties are to: (1) Undertake a continuing review of the progress of the marine and atmospheric science and service programs of the United States; (2) submit a comprehensive annual report to the President and to the Congress setting forth an overall assessment of the status of the Nation's marine and atmospheric activities on or before June 30 of each year; and (3) advise the Secretary of Commerce with respect to the carrying out of the purposes of the National Oceanic and Atmospheric Administration.

A general agenda consists of the following topics:

Thursday the 27th—discussion of pending legislation affecting the organization of oceanic and atmospheric affairs and congressional testimony by various NACOA members.

Friday the 28th—development of a committee work plan for the coming year and presentation of agency briefings on marine pollution.

Saturday the 29th—further agency briefings on marine pollution.

At open sessions, the public will be admitted to the extent of the very limited seating available on a first come, first served basis. Questions from the public will be permitted during specific periods announced by the Chairman. Persons wishing to make formal statements must notify the Chairman in advance of the meeting. The Chairman retains the prerogative to place limits on the duration of oral statements and discussions. Written statements may be submitted before or after each session.

Additional information concerning this meeting may be obtained through the Committee's Executive Director, Dr. Douglas L. Brooks, whose mailing address is: National Advisory Committee on Oceans and Atmosphere, Department of

Commerce Building, Room 5225, Washington, D.C. 20230. The telephone number is 967-3343.

DOUGLAS L. BROOKS,
Executive Director.

[FR Doc.73-19943 Filed 9-17-73;8:45 am]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 73-73]

NASA INFRARED TELESCOPE SITE EVALUATION ADVISORY COMMITTEE

Notice of Meeting

The NASA Infrared Telescope Site Evaluation Advisory Committee will meet at the Headquarters of the National Aeronautics and Space Administration on September 17 and 18, 1973. The meeting will be held in Room 6004 of Federal Office Building 6, located at 400 Maryland Avenue, SW., Washington, DC 20546. The meeting will be closed to members of the public on both days.

The NASA Infrared Telescope Site Evaluation Advisory Committee serves in a consultative capacity to the National Aeronautics and Space Administration to advise NASA on the evaluation of alternative sites for a large aperture ground-based infrared telescope in anticipation of approval of the project. For further information regarding the meeting, please contact Dr. Arthur L. Lane at 202-755-3760.

The Committee will hear presentations on, discuss, compare and evaluate proposed sites and concepts for the large aperture ground-based infrared telescope. The meeting will be closed as the information to be reviewed is proprietary in nature, containing data on proposed operations and confidential statistical data of universities and industrial concerns. The Committee will discuss the strengths and weaknesses of the individual sites and associated sponsoring organizations.

HOMER E. NEWELL,
Associate Administrator, Na-
tional Aeronautics and Space
Administration.

SEPTEMBER 13, 1973.

[FR Doc.73-19807 Filed 9-17-73;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

FIRST INTERNATIONAL BANCSHARES, INC., ET AL.

Applications for Unlisted Trading Privileges and of Opportunity for Hearing

SEPTEMBER 10, 1973.

The PBW Stock Exchange, Inc., has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges:

File No.
First International Bankshares, Inc. 7-4450
Houston Oil & Minerals Corporation 7-4451
International Systems & Controls Corporation 7-4452
King Radio Corporation 7-4453
MGIC Investment Corporation 7-4454
Reserve Oil & Gas Company 7-4455

Upon receipt of a request, on or before September 26, 1973, from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549 not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.73-19786 Filed 9-17-73;8:45 am]

MOTOROLA, INC.

Application for Unlisted Trading Privileges and of Opportunity for Hearing

SEPTEMBER 10, 1973.

The Boston Stock Exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchanges:

Motorola, Inc. File No. 7-4445

Upon receipt of a request, on or before September 26, 1973 from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549 not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the

basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.73-19785 Filed 9-17-73; 8:45 am]

COST OF LIVING COUNCIL

[Order 41]

ADMINISTRATOR, OFFICE OF PRICE STABILIZATION

Delegation of Authority

Pursuant to the authority vested in me as Director of the Cost of Living Council by Cost of Living Council Order Nos. 14 and 29, it is hereby ordered as follows:

1. There is delegated to the Administrator, Office of Price Stabilization, subject to the general policy guidance of and in coordination with the Director of the Cost of Living Council, or his delegate, authority to:

(a) Make decisions and issue orders with respect to prenotified price increases and all other filings requiring decisions except in those cases for which specific authority to do so is delegated to the Commissioner of Internal Revenue, the Administrator, Office of Health, or the Administrator, Office of Food.

(b) Make decisions and issue orders with respect to individual requests for exceptions from firms or for class exceptions, except in those cases for which specific authority to do so is delegated to the Commissioner of Internal Revenue, the Administrator, Office of Health, or the Administrator, Office of Food.

(c) Make decisions and issue order with respect to all requests for reconsideration of adverse actions taken by the Cost of Living Council or the Internal Revenue Service except with respect to those cases for which specific authority to do so is delegated to the Commissioner of Internal Revenue, the Administrator, Office of Health, or the Administrator, Office of Food.

(d) Request information and conduct hearings with respect to functions delegated in this paragraph.

2. Paragraphs 1 and 2 of Cost of Living Council Order No. 25 are hereby revoked.

3. The Administrator, Office of Price Stabilization may redelegate to personnel within the Office of Price Stabilization any authority delegated to him by this order.

4. In exercising the authority delegated by this order or redelegated pursuant thereto officials of the Cost of Living Council shall be governed by the regulations and rulings of the Cost of Living Council and by the policies, procedures, and controls prescribed by the Director of the Cost of Living Council, or his delegate.

5. Actions taken by the Administrator, Office of Price Stabilization, under paragraph 1(c) of this order, are administratively final. Review of these actions may be sought in the appropriate Federal district court pursuant to section 211 of the Economic Stabilization Act of 1970, as amended (Public Law 92-210, 85 Stat. 744).

6. This order is effective August 13, 1973.

JOHN T. DUNLOP,
Director,
Cost of Living Council.

[FR Doc.73-19977 Filed 9-17-73; 8:45 am]

INTERSTATE COMMERCE COMMISSION

[Ex Parte 299 (Sub-No. 1)]

FREIGHT RATES AND CHARGES—1973

Increase to Offset Retirement Tax; Long Island Rail Road Co.

It is ordered, That the petition in Ex Parte No. 299 be, and it is hereby, granted to the extent indicated in the report¹ and it is denied in all other respects; that the petitioners therein be, and they are hereby, permitted to establish an interim increase in their rates and charges of 1.9 percent to become effective on October 1, 1973, and an interim increase of 2.6 percent to become effective, in lieu of the 1.9-percent increase, on January 1, 1974, upon not less than 15 days' notice to the general public and to this Commission, subject to the refund rule in the proposed tariff.

It is further ordered, That in the hearing to be hereafter held herein in Ex Parte No. 299, in accordance with section 15a(4)(c) of the Interstate Commerce Act, the carrier petitioners shall submit for the record any productivity gains experienced in the third quarter of 1973, and the effect on 1974 projections, including evidence to substantiate those projections, as required by the statute and Ex Parte No. 298.

It is further ordered, That at the subsequent hearing in Ex Parte No. 299, the railroads shall submit for the record an explanation of why the excepted rates and charges shall not be increased without awaiting renewal of individual arrangements, and of the amount of the additional revenue which would be obtained therefrom.

It is further ordered, That in the hearing to be hereafter held herein in Ex Parte No. 299, the carriers shall submit for the record a plan to correct the variations among individual railroads in the amount of increased retirement taxes offset by the additional revenues, as exemplified in the report.

It is further ordered, That any person interested in this proceeding, in Ex Parte

¹ Report and statements of Commissioners Harden and O'Neal are filed as part of the original document.

No. 299, shall notify this Commission, by filing with the Interstate Commerce Commission, Office of Proceedings, Room 5354, Washington, D.C. 20423, on or before October 10, 1973, the original and one copy of a statement of his interest. Inasmuch as the Commission desires wherever possible (a) to conserve time, (b) to avoid unnecessary expense to the public, and (c) the service of pleadings by parties in proceedings of the type only upon those who intend to take an active part in the proceeding, the statement of intention to participate shall include a specification of the extent of such person's interest, including (1) whether such interest extends merely to receiving Commission releases in this proceeding, (2) whether he genuinely wishes to participate in the formal proceeding, (3) if he so desires to participate as described in (2), whether he will consolidate or is capable of consolidating his interests with those of other interest parties by filing joint statements in order to limit the number of copies of pleadings that need be served, such consolidation of interest being strongly urged by the Commission, and (4) any other pertinent information which will aid in limiting the service list to be used in this proceeding; and that this Commission shall then prepare and make available to all such persons a list containing the names and addresses of all parties desiring to participate in this proceeding, and shall designate the nature of further proceedings.

It is further ordered, That the petition in Ex Parte No. 299 (Sub-No. 1) be, and it is hereby, denied, without prejudice to refiling in conformity with the statute and with the requirements of Ex Parte No. 298.

It is further ordered, That notice of the entry of this report and order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission, and by filing a copy with the Director, Office of the Federal Register, for publication therein.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-19818 Filed 9-17-73; 8:45 am]

[Ex Parte No. MC-19 (Sub-No. 19)]

MOTOR COMMON CARRIERS OF HOUSEHOLD GOODS

Extension of Time

SEPTEMBER 11, 1973.

At the request of Mrs. Grace Polk Stern and other parties, the time for filing representations in this proceeding has been further extended to October 1, 1973 (37 FR 15466, 24799 and 38 FR 19946).

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-19815 Filed 9-17-73; 8:45 am]

[Notice 353]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 212(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before October 8, 1973. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-74554. By order of September 11, 1973, the Motor Carrier Board approved the transfer to R-C Transfer, Inc., Coos Bay, Ore., of Certificate No. MC-112740 issued December 21, 1960, to Gene Dagostini, doing business as Gene Dagostini Wholesale Produce, Coos Bay, Ore., authorizing the transportation of lumber from Glendale, Ore., to points in a described part of California—Mr. Earle V. White, Attorney at Law, White & Southwell, 2400 SW. Fourth Avenue, Portland, Ore. 97201.

No. MC-FC-74617. By order entered September 11, 1973, the Motor Carrier Board approved the transfer to E. I. Brandt Trucking Co., Inc., Yuba City, Calif., of the operating rights set forth in Certificate No. MC-52323, issued April 11, 1942, to E. I. Brandt, Yuba City, Calif., authorizing the transportation of beans, dried fruits, nails, corrugated iron, honey, and grain, from, to, and between specified points in California—Robert M. Cole, 219 E Street, P.O. Box 250, Davis, Calif. 95616, attorney for applicants.

No. MC-FC-74623. By order entered September 12, 1973, the Motor Carrier Board approving the transfer to Ackerman Motor Lines, Inc., Hackettstown, N.J., of that portion of the operating rights set forth in Certificate No. MC-134221, issued July 23, 1970, to C. B. L. Trucking & Leasing, Inc., authorizing the transportation of general commodities, with the usual exceptions, between New York, N.Y., points in Essex, Union, Hudson, Berger, Passaic, Morris, and Middlesex Counties, N.J., on the one hand, and, on the other, points in a defined area in Pennsylvania—Herbert Burstein, One World Trade Center, New York, N.Y. 10048, attorney for applicants.

No. MC-FC-74625. By order entered September 12, 1973, the Motor Carrier Board approved the transfer to C. B. L.

Trucking & Leasing, Inc., Delanco, N.J., that portion of the operating rights set forth in Certificate No. MC-135648, issued November 18, 1971, to Ackerman Motor Lines, Inc., Hackettstown, N.J., authorizing the transportation of general commodities, with specified exceptions, between New York, N.Y., on the one hand, and, on the other, points in Hunterdon and Warren Counties, N.J.—Herbert Burstein, One World Trade Center, New York, N.Y. 10048, attorney for applicants.

No. MC-FC-74647. By order entered September 13, 1973, the Motor Carrier Board approved the transfer to Nooney Bus Lines, Inc., Roanoke Rapids, N.C., of the operating rights set forth in Certificate No. MC-103734 (Sub-No. 2), issued by the Commission May 9, 1947, to J. H. Hammack, Gasburg, Va., authorizing the transportation of passengers and their baggage, and express, newspapers and mail, in the same vehicle with passengers, over specified routes, between Lawrenceville, Va., and Roanoke Rapids, N.C.; and between South Hill, Va., and junction Virginia Highways 46 and 626, serving specified intermediate points—J. Ruffin Bailey, P.O. Box 2246, Raleigh, N.C. 27602, attorney for applicants.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.73-19817 Filed 9-17-73; 8:45 am]

[Notice No. 124]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

SEPTEMBER 12, 1973.

The following are notices of filing of application (except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application), for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 27500 (Sub-No. 8 TA), filed August 28, 1973. Applicant: MISHAK TRUCK LINE, INC., 320 7th Avenue North, Clear Lake, Iowa 50428. Applicant's representative: Larry D. Knox, 9th Floor, Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite of Keystone Steel & Wire at or near Peoria, Ill., to points in Iowa, Minnesota, South Dakota, and North Dakota, for 180 days. SUPPORTING SHIPPER: Keystone Steel & Wire, Highway 24 South, Peoria, Ill. 61607. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 44913 (Sub-No. 11 TA), filed August 31, 1973. Applicant: E. ROSCOE WILLEY, INC., Post Office Box 116, Secretary, Md. 21664. Applicant's representative: Daniel B. Johnson, 716 Perpetual Building, 1111 E Street NW., Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Metal Cans and closures*, from Cambridge, Md., to Suffolk, Va., for 180 days. SUPPORTING SHIPPER: National Can Corporation, 727 South Wolf Street, Baltimore, Md. 21231. SEND PROTESTS TO: Robert D. Caldwell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 12th Street and Constitution Avenue NW., Washington, D.C. 20423.

No. MC 50069 (Sub-No. 463 TA), filed September 4, 1973. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Avenue, Oregon, Ohio 43616. Applicant's representative: Jack A. Gollan (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sulphur acid*, in bulk, from Oregon, Ohio, to Elkhart, Ind., for 180 days. SUPPORTING SHIPPER: Coulton Chemical Corporation, 1400 Otter Creek Road, Oregon, Ohio. SEND PROTESTS TO: Keith D. Warner, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 313 Federal Office Bldg., 234 Summit Street, Toledo, Ohio 43604.

No. MC 51146 (Sub-No. 333 TA), filed September 4, 1973. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, P.O. Box 2298 (Box zip 54306), Green Bay, Wis. 54304. Applicant's representative: Neil DuJardin (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Printing paper*, other than newsprint, from Plymouth, N.C., to Austin, Dallas, Fort Worth, Houston, and San Antonio, Tex.; Oklahoma City and Tulsa, Okla., and Little Rock, Ark., for 180 days. SUPPORTING SHIPPER: Weyerhaeuser Company, P.O. Box 787, Plymouth, N.C. 27962 (Steve Everett, Fleet Supervisor).

SEND PROTESTS TO: John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 103051 (Sub-No. 285 TA), filed September 4, 1973. Applicant: FLEET TRANSPORT COMPANY, INC., 934 44th Avenue North, P.O. Box 90408, Nashville, Tenn. 37209. Applicant's representative: Russell E. Stone (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gasoline and diesel fuel*, in bulk, in tank vehicles, from Montgomery, Ala., to points in Escambia, Okaloosa, Santa Rosa, and Washington Counties, Fla., for 180 days. SUPPORTING SHIPPER: Exxon Company, U.S.A., 1211 Union Avenue, Memphis, Tenn. SEND PROTESTS TO: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 803 1808 West End Building, Nashville, Tenn. 37203.

No. MC 105006 (Sub-No. 3 TA), filed August 30, 1973. Applicant: L. L. SMITH TRUCKING, P.O. Box 566, Powell, Wyo. 82435. Applicant's representative: Robert S. Stauffer, 3539 Boston Road, Cheyenne, Wyo. 82001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lost circulation materials*, including drilling mud, additives, and chemicals, between points in Wyoming and Utah, for 180 days. SUPPORTING SHIPPERS: Milchem Incorporated, P.O. Box 693, Casper, Wyo. 82601; IMCO Services, a Division of Halliburton, P.O. Box 22605, Houston, Tex. 77027; and Rockymountain Refractories, 2436 West Andrew Avenue, Salt Lake City, Utah 84104. SEND PROTESTS TO: District Supervisor Paul A. Naughton, Interstate Commerce Commission, Bureau of Operations, Rm. 1006, Federal Bldg. and Post Office, 100 East B Street, Casper, Wyo. 82601.

No. MC 110420 (Sub-No. 688 TA), filed September 4, 1973. Applicant: QUALITY CARRIERS, INC., Mail: P.O. Box 186, Pleasant Prairie, Wis. 53158, and Off.: I-94 County Highway C, Bristol, Kenosha Co., Wis. 53104. Applicant's representative: Richard L. Salamon (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar and vinegar stock, fermented, quick process and distilled vinegar, vinegar malt naphtha (ethyl acetate), salt (calcium acetate), vinegar acid (acetic acid), and vinegar wine*, etc., in bulk, in tank and hopper type vehicles, between the following points and the commercial zone thereof, except that no transportation service shall be provided wholly within the same or one state in Rogers, Ark.; Delta and Denver, Colo.; Chicago, Ill.; Hutchinson and Wichita, Kans.; Bailey, Belding, and Fremont, Mich.; St. Paul, Minn.; Kansas City, Marionville, and Nixa, Mo.; Lyndonville and North Rose, N.Y.; Charlotte, N.C.; Oklahoma City, Okla.; Memphis, Tenn.; Dal-

las, Houston, and Paris, Tex.; Wenatchee and Yakima, Wash., for 180 days. SUPPORTING SHIPPER: Speas Company, 2400 Nicholson Avenue, Kansas City, Mo. (Paul L. Egerstrom, Executive Vice President). SEND PROTESTS TO: John E. Ryden, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 110420 (Sub-No. 689 TA), filed September 4, 1973. Applicant: QUALITY CARRIERS, INC., Mail: P.O. Box 186, Pleasant Prairie, Wis. 53158, and Off.: I-94 County Highway C, Bristol, Kenosha Co., Wis. 53104. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar and syrups, and blends thereof*, liquid, in bulk, in tank vehicles, from the Kansas City, Kans.-Kansas City, Mo., Commercial Zone, to points in Arkansas, Louisiana, New Mexico, and Texas, for 180 days. SUPPORTING SHIPPER: CPC International, Inc., Englewood Cliffs, N.J. 07632 (Roger V. Haugen, Assistant Transportation Manager). SEND PROTESTS TO: John E. Ryden, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 135 West Wells St., Room 807, Milwaukee, Wis. 53203.

No. MC 110525 (Sub-No. 1064 TA), filed August 30, 1973. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 E. Lancaster Avenue, P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement dust*, in bulk, in tank vehicles, from Berks, Northampton, and Lehigh Counties, Pa., to points in Delaware, Maryland, New York, and New Jersey, for 180 days. SUPPORTING SHIPPER: King of Prussia Technical Co., Inc., 551 W. Lancaster Pike, Bryn Mawr, Pa. 19010. SEND PROTESTS TO: Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Federal Bldg., Room 3238, 600 Arch St., Philadelphia, Pa. 19106.

No. MC 110525 (Sub-No. 1065 TA), filed August 31, 1973. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 E. Lancaster Avenue, P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aqueous sulfuric acid*, in bulk, in tank vehicles, from Rockville, Conn., to Adams, Mass., for 180 days. SUPPORTING SHIPPER: Ano-Coil Corporation, 60 East Main Street, P.O. Box 359, Rockville, Conn. 06066. SEND PROTESTS TO: Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Fed-

eral Bldg., Room 3238, 600 Arch St., Philadelphia, Pa. 19106.

No. MC 110525 (Sub-No. 1066 TA), filed August 31, 1973. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 E. Lancaster Avenue, P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *#6 Fuel oil*, in bulk, in tank vehicles, from Lynn, Mass., to Niskayuna, N.Y., for 180 days. SUPPORTING SHIPPER: General Electric Co., Bldg. 56, Room 302, Schenectady, N.Y. 12345. SEND PROTESTS TO: Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Federal Bldg., Room 3238, 600 Arch St., Philadelphia, Pa. 19106.

No. MC 111729 (Sub-No. 397 TA), filed September 4, 1973. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success (NHP-PO) N.Y. 11040. Applicant's representative: John M. Delany (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Exposed and processed film and prints, complementary replacement film, incidental dealer handling supplies and advertising material moving therewith* (excluding motion picture film used primarily for commercial theatre and television exhibition), between points in Oklahoma, on traffic having a prior or subsequent movement by air or motor vehicle, for 90 days. SUPPORTING SHIPPERS: (1) Mellers Photo Labs, Inc., Drawer B, Glenstone Station, 1929 E. Bennett, Springfield, Mo. 65804 and (2) GAF Photo Service, 2010 North 18th Street, Kansas City, Kans. SEND PROTESTS TO: Anthony D. Glaimo, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 112750 (Sub-No. 302 TA), filed September 4, 1973. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success (NHP-PO) N.Y. 11040. Applicant's representative: John M. Delany (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents, written instruments and business records* (except currency and negotiable securities) as are used in the business of banks and banking institutions, from points in Missouri, to National Stock Yards, Ill., for 90 days. SUPPORTING SHIPPER: The National Stock Yards National Bank of National City, National Stock Yards, Ill. SEND PROTESTS TO: Anthony D. Glaimo, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 113678 (Sub-No. 509 TA), filed September 4, 1973. Applicant: CURTIS, INC., Off. 4810 Pontiac Street, Commerce

City, Colo. 80022, and Mail: P.O. Box 16004, Stockyards Station. Applicant's representative: David L. Metzler (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration (except commodities in bulk, in tank vehicles), from the plantsite and warehouse facilities of Kraft Foods at or near Springfield, Mo., to points in California, Colorado, and New Mexico, restricted to points in named origins and destined to points in named destinations, for 180 days. **SUPPORTING SHIPPER:** Kraft Foods Div. of Kraftco Corporation, 2340 Forest Lane, Garland, Tex. 75040. **SEND PROTESTS TO:** District Supervisor Herbert C. Ruoff, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.

No. MC 118202 (Sub-No. 16 TA), filed August 31, 1973. Applicant: SCHULTZ TRANSIT, INC., Post Office Box 406, 323 Bridge Street, Winona, Minn. 55987. Applicant's representative: Eugene A. Schultz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk and hides), from the plant site and storage facilities in Ilini Beef Packers at or near Joslin, Ill., to points in Arizona, California, and Nevada, for 180 days. **SUPPORTING SHIPPER:** Ilini Beef Packers, Incorporated, Joslin, Ill. **SEND PROTESTS TO:** A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Bldg. and U.S. Court House, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 118959 (Sub-No. 106 TA) (CORRECTION), filed August 20, 1973, published in the *FEDERAL REGISTER* issue of September 6, 1973, and republished as corrected this issue. Applicant: JERRY LIPPS, INC., 130 S. Frederick Street, Cape Girardeau, Mo. 63701. Applicant's representative: John L. Bruemmer, 121 W. Doty Street, Madison, Wis. 53703.

NOTE.—The purpose of this partial republication is to eliminate restriction No. (2) which states: Tacking of this authority with carrier's certificate No. MC 118959 (Sub-No. 85) at the plant site of Tech-Panel Corporation, Springfield, Ky., shall be for the purpose of joinder only, and no service shall be provided thereby to the states of Alabama, Georgia, Louisiana, Mississippi, North Carolina, and South Carolina. Applicant does intend to tack with No. MC 118959 (Sub-No. 85). The rest of the application remains as previously published in the *FEDERAL REGISTER*.

No. MC 129350 (Sub-No. 27 TA) (CORRECTION), filed July 20, 1973, published in the *FEDERAL REGISTER* issue of August 15, 1973, and republished as corrected this issue. Applicant: CHARLES E. WOLFE, doing business as EVER-

GREEN EXPRESS, 410 N. 10th Street, P.O. Box 212 (Box zip 59103), Billings, Mont. 59101. Applicant's representative: Clayton Brown (same address as above).

NOTE.—The purpose of this partial republication is to add a commodity which was omitted in previous publication. The added commodity is: *Chemical and cleaning compounds*, from Helena, Mont., to Champaign and Clinton, Ill.; Sioux Falls and Rapid City, S. Dak. The rest of the application remains as previously published in the *FEDERAL REGISTER*.

No. MC 129613 (Sub-No. 12 TA), filed August 31, 1973. Applicant: ARTHUR H. FULTON, Stephens City, Va. 22655. Applicant's representative: Charles E. Creager, Suite 523, 816 Easley Street, Silver Spring, Md. 20910. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Veneer*, (1) between Martinsburg, W. Va., on the one hand, and, on the other, points in Indiana, Kentucky, North Carolina, South Carolina, Virginia, Maryland, and Pennsylvania and (2) from points in North Carolina and Martinsburg, W. Va., to points in Vermont, for 180 days. **SUPPORTING SHIPPER:** Erath Veneer Corporation, Berkeley Face Veneer Corporation, P.O. Box 1493, Martinsburg, W. Va. 25401. **SEND PROTESTS TO:** Robert D. Caldwell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 12th Street and Constitution Avenue NW., Washington, D.C. 20423.

No. MC 134349 (Sub-No. 7 TA), filed September 4, 1973. Applicant: B. L. T. CORPORATION, 405 3rd Avenue, Brooklyn, N.Y. 11215. Applicant's representative: William D. Traub, 10 East 40th Street, New York, N.Y. 11215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in or used in the operations or retail department stores, between New York, N.Y., and North Bergen, N.J., on the one hand, and, on the other, (points in Indiana, Iowa, Kentucky, Minnesota, Ohio, and Tennessee, for 180 days. SUPPORTING SHIPPER:* Allied Stores Corporation, General Traffic Department, 1114 Avenue of the Americas, New York, N.Y. 10036. **SEND PROTESTS TO:** Marvin Kampel, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 134958 (Sub-No. 5 TA), filed August 30, 1973. Applicant: HAMS EXPRESS, INC., 3499 S. Third Street, Philadelphia, Pa. 19148. Applicant's representative: Joseph F. Murray (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *meat, meat products, and meat byproducts; articles distributed by meat packinghouses and commodities used by packinghouses; and such commodities as are used by meatpackers in the conduct of their business when destined to and for use by meatpackers as defined in Sections A, C, and D of Appendix I*

to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk and hides and skins), all service limited to transportation service to be performed under continuing contract with Blue Bird Food Products Company of Philadelphia, Pa., from the plant site, warehouses, and storage facilities used by Blue Bird Food Products Co., at or near Philadelphia, Pa., to points in Utah, for 180 days. **SUPPORTING SHIPPER:** Bluebird Food Products Co., 3501 S. Third St., Philadelphia, Pa. 19148. **SEND PROTESTS TO:** Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Federal Bldg., Room 3238, 600 Arch Street, Philadelphia, Pa. 19106.

No. MC 135833 (Sub-No. 12 TA), filed August 31, 1973. Applicant: B & C SPECIALIZED CARRIERS, INC., 6524 Brookville Road, Indianapolis, Ind. 46219. Applicant's representative: Alki E. Scopelitis, 815 Merchants Bank Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Precast and prestressed concrete*, from Kalamazoo, Mich., to Chicago, Ill., and Indianapolis, Ind., for 180 days. **SUPPORTING SHIPPER:** Precast/Schokbeton, Inc., 3102 East Cork Street, Kalamazoo, Mich. 49003. **SEND PROTESTS TO:** District Supervisor James W. Habermehl, Interstate Commerce Commission, Bureau of Operations, 802 Century Bldg., 36 S. Penn. St., Indianapolis, Ind. 46204.

No. MC 136008 (Sub-No. 12 TA), filed August 30, 1973. Applicant: JOE BROWN COMPANY, INC., 20 Third Street NE., P.O. Box 1669, Ardmore, Okla. 73401. Applicant's representative: Rufus H. Lawton, 2400 NW. 23rd Street, P.O. Box 75124, Oklahoma City, Okla. 73107. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from Inola and Porum, Okla., to the plantsites of General Portland, Inc., Fredonia, Kans., and Ft. Worth and Dallas, Tex., for 180 days. **SUPPORTING SHIPPER:** General Portland, Inc., W. W. Marten, Traffic Manager, Post Office Box 324, Dallas, Tex. 75221. **SEND PROTESTS TO:** C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Rm. 240, Old Post Office Building, 215 NW. Third, Oklahoma City, Okla. 73102.

No. MC 136987 (Sub-No. 6 TA) (CORRECTION), filed July 13, 1973, published in the *FEDERAL REGISTER* issue of August 8, 1973, and August 27, 1973, and republished as corrected this issue. Applicant: REMINGTON FREIGHT LINES INC., 604 N. Main Street, Remington, Ind. 47977. Applicant's representative: Warren C. Moberly, 777 Chamber of Commerce Bldg., Indianapolis, Ind. 46204.

NOTE.—The purpose of this partial republication is to correct the origin point to London, Ohio, in lieu of Lond, Ohio, which was published in error. The rest of the application remains the same.

No. MC 138916 (Sub-No. 1 TA), filed August 30, 1973. Applicant: PHILIP A. THOMAS, doing business as PHILIP THOMAS TRUCKING CO., Box 742, Wynnewood, Okla. 73098. Applicant's representative: T. M. Brown, 600 Leininger Bldg., Oklahoma City, Okla. 73112. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Asphalt*, in bulk, in tank vehicles, from the plantsite of Kerr-McGee Corporation, Wynnewood, Okla., to points in Anderson, Archer, Bell, Baylor, Bosque, Brown, Callahan, Camp, Cherokee, Clay, Coleman, Collin, Comanche, Cooke, Coryell, Dallas, Delta, Denton, Eastland, Ellis, Erath, Falls, Fannin, Franklin, Freestone, Grayson, Hamilton, Henderson, Hill, Hood, Hopkins, Hunt, Jack, Johnson, Kaufman, Lamar, Lampasas, Limestone, McClenan, Mills, Montague, Morris, Navarro, Palo Pinto, Parker, Rains, Red River, Rockwall, Shackleford, Smith, Stephens, Tarrant, Titus, Throckmorton, Upshur, VanZandt, Wichita, Wilbarger, Wise, Wood, Young, and Somervell Counties, Tex., for 180 days. SUPPORTING SHIPPER: William E. Graff, Transportation Manager, Southern Asphalt and Pet. Co., P.O. Box 7637, Fort Worth, Tex. 76111. SEND PROTESTS TO: C. L. Phillips, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Rm. 240, Old P.O. Bldg., 215 NW Third, Oklahoma City, Okla. 73102.

No. MC 139019 (Sub-No. 1 TA), filed August 31, 1973. Applicant: MIDKIFF AND STOWERS TRUCKING COMPANY, INC., Hamlin, W. Va. 25523. Applicant's representative: John M. Friedman, 2930 Putnam Avenue, Hurricane, W. Va. 25526. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Machinery, equipment, materials and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission and distribution of natural gas and petroleum and their products and byproducts, as described in *Mercer 74*, M.C.C. 459 (except commodities in bulk) and (2) *drilling mud*, in containers and in bulk, between points in the Charleston and Huntington, W. Va., Commercial Zones, on the one hand, and, on the other, points in Kentucky on and east of U.S. Highway 27; in Ohio on and east of U.S. Highway 23 from Portsmouth, Ohio, to Columbus, Ohio, and on and east of Interstate Highway 71 from Columbus, Ohio, to Cleveland, Ohio, and Marion, Ohio; points in Virginia on and west of U.S. Highway 21 and points in Bertie, Chowan, Currituck, Dare, Pasquotank, Perquimans, Tyrell, and Washington Counties, N.C., restricted to traffic originating at or destined to well site locations, for 180 days. SUPPORTING SHIPPERS: Baroid Division of The National Lead Company, 110 Stratford Place, Charleston, W. Va. 25303. Att.: Jerry L. Leach, District Engineer; Columbia Gas Transmission Corporation, 1700 MacCorkle Ave. SE., Charleston, W. Va. 25304. Att.: James L. Week-

ley, Sr., Drilling Engineer; McJunkin Corporation, P.O. Box 513, 1400 Hansford St., Charleston, W. Va. 25322. Att.: H. P. McJunkin, Vice-President; and Branchland Pipe & Supply Company, 1010 7th Ave., Huntington, W. Va. 25701. Att.: David Fox, Jr., President. SEND PROTESTS TO: H. R. White, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 3108 Federal Office Bldg., 500 Quarrier St., Charleston, W. Va. 25301.

No. MC 139045 TA, filed August 28, 1973. Applicant: CALIFORNIA PACIFIC SHIPPING CO., 1470 East 4th Street, Los Angeles, Calif. 90033. Applicant's representative: David P. Christianson, 825 City National Bank Bldg., 606 South Olive Street, Los Angeles, Calif. 90033. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Fresh and frozen meat, and natural and processed cheese*, from points in Ohio, Kentucky, Illinois, Wisconsin, Missouri, Kansas, Indiana, Nebraska, New Mexico, Colorado, Oklahoma, Texas, South Dakota, Minnesota, Iowa, Arkansas, and Michigan, to points in Los Angeles, Riverside, Orange, San Diego, San Francisco, Kern, Santa Barbara, Ventura, San Bernardino, and Alameda Counties, Calif., for 150 days. SUPPORTING SHIPPER: R. W. Zant Co., 1470 E. Fourth St., Los Angeles, Calif. 90033. SEND PROTESTS TO: Walter W. Strakosch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 7708, Federal Bldg., 300 North Los Angeles St., Los Angeles, Calif. 90012.

No. MC 139046 TA, filed August 30, 1973. Applicant: D. & S. TRUCKING, INC., 100 West Tenth Street, Wilmington, Del. 19898. Applicant's representative: Francis P. Desmond, 115 East 5th Street, Chester, Pa. 19013. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Class A and B explosives, household goods, commodities in bulk and those requiring special equipment), from the facility of D. & S. Warehousing, Inc., at or near Yorklyn, Del., to points in Delaware, Virginia, Pennsylvania, New Jersey, New York, Massachusetts, Connecticut, Indiana, and Nashville Tenn., for the account of D. & S. Warehousing, Inc., for 180 days. SUPPORTING SHIPPER: D. & S. Warehousing, Inc., P.O. Box 173, Yorklyn, Del. 19736. SEND PROTESTS TO: Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Federal Bldg., Room 3238, 600 Arch St., Philadelphia, Pa. 19106.

No. MC 139047 TA filed August 31, 1973. Applicant: JOHN HAAS, doing business as GENERAL PRODUCE TRANSPORT, INC., P.O. Box 564 (161 Kearney Street), Watsonville, Calif. 95076. Applicant's representative: Jerrold M. Ladar, 507 Polk Street, Suite 310, San Francisco, Calif. 94102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen vegetables, fruits, and berries*, from Salinas, Watsonville,

Santa Cruz, San Martin, San Jose, and Santa Clara, Calif., to San Francisco, Alameda, and Oakland, Calif., restricted to shipments having a subsequent out-of-state movement by water carrier, for 180 days. SUPPORTING SHIPPER: Spiegl Foods, Inc., 1219 Abbott St., P.O. Box 1491, Salinas, Calif. 93901; Valley Packing Service, P.O. Box 108, Watsonville, Calif. 95076; Dennis Sales, Ltd., P.O. Box 824, Salinas, Calif. 93901; Valley Frost Company, P.O. Box 401, Watsonville, Calif. 95076; and California Farm Products, Inc., P.O. Box 408, Watsonville, Calif. 95076. SEND PROTESTS TO: Claud W. Reeves, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Ave., Box 36004, San Francisco, Calif. 94102.

No. MC 139049 TA, filed September 5, 1973. Applicant: SUNBOW EXPRESS, INC., 2213 Toomey Avenue, P.O. Box 3665, Charlotte, N.C. 28203. Applicant's representative: George W. Clapp, P.O. Box 6970, Greenville, S.C. 29606. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Synthetic fiber and synthetic fiber yarn*, from Earl and F. berton, N.C., and East Darlington and South Greenville, S.C., to Los Angeles, Calif., and points in the Los Angeles, Calif., Commercial Zone as defined by the Commission, for 180 days. SUPPORTING SHIPPER: Fiber Industries, Inc., P.O. Box 10038, Charlotte, N.C. 28201. SEND PROTESTS TO: District Supervisor Terrell Price, Bureau of Operations, Interstate Commerce Commission, 800 Briar Creek Rd., Rm. CC516, Mart Office Building, Charlotte, N.C. 28205.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Sub-No. 186 TA), filed September 4, 1973. Applicant: GREYHOUND LINES, INC., Greyhound Tower, Phoenix, Ariz. 85077. Applicant's representative: Bart Cook, 371 Market St., San Francisco, Calif. 94106. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in special operations only, from junction U.S. Highway 90 and Louisiana Highway 109, over Louisiana Highway 109 to junction of Louisiana Highway 109 and State Highway 3063, thence over State Highway 3063, to Vinton, La., to operate in special operations only, for 180 days.

NOTE.—Applicant intends to tack with MC 1515 Sub 71.

SUPPORTING SHIPPER: Passenger Public, to and from points sought, Delta Downs, Inc., Vinton, La. SEND PROTESTS TO: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 3427 Federal Bldg., 230 N. First Ave., Phoenix, Ariz. 85025.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-19816 Filed 9-17-73; 8:45 am]

CUMULATIVE LISTS OF PARTS AFFECTED—SEPTEMBER

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during September.

1 CFR	Page	7 CFR—Continued	Page	7 CFR—Continued	Page
CFR checklist	23771	930	24890	PROPOSED RULES:	
3 CFR		932	24215	20	25690
PROCLAMATIONS:		944	26108	26	23955, 25186
4239	24191	948	25667	52	24654, 24904, 24907, 24910
4240	24193	981	25668	722	24911
4241	24881	991	23771	932	24910
4242	26099	1001	24216	981	24911
4243	26101	1002	24216	1007	25024
EXECUTIVE ORDERS:		1004	24216	1030	23796, 25448, 25756
11359 (superseded by 11737)	24883	1006	24216	1032	25756
11602 (superseded by E.O. 11738)	25161	1007	24216	1046	25756
11635 (superseded by 11737)	24883	1011	24216	1049	25756
11659 (amended by 11737)	24883	1012	24216	1050	25186, 25756
11737	24883	1013	24213	1060	25222
11738	25161	1015	24216	1061	25222
Presidential Documents other than Proclamations and Executive Orders:		1030	24216	1062	25756
Memorandum of August 17, 1973	25903	1033	24216	1063	25222
4 CFR		1036	24216	1064	25222
400	24195	1040	24216	1065	25222
405	24195	1044	24216	1068	25222
PROPOSED RULES:		1046	24216	1069	25222
331	23971	1049	24216	1070	25222
351	23971, 26072	1050	24216	1071	25024
400	23971	1060	24216	1073	24654, 25024
401	23971	1061	24216	1076	25222
402	23971	1062	24216	1078	25222
403	23971	1063	24216	1079	25222
404	23971	1064	24216	1090	25024
5 CFR		1065	24216	1094	25024
213	24344, 24885, 25165, 25907	1068	24216	1096	25024, 29190
6 CFR		1069	24216	1097	25024
102	25427	1070	24216	1098	25024
130	24213	1071	24216	1099	25756
140	24214	1073	24216	1102	25024
150	23794, 23931, 24214, 24885, 25427, 25686	1075	24216	1104	25282
152	23794, 24214	1076	24216	1106	25282
155	24885	1078	24216	1108	25024
PROPOSED RULES:		1079	24216	1120	25282
Ch. I	24917	1090	24216	1126	25282
152	23806, 24219, 24667	1094	24216	1127	25282
7 CFR		1096	24216	1128	25282
2	24633	1097	24216	1129	25282
51	23931	1098	24216	1130	25282
52	24344, 25165	1099	24216	1131	25282
201	25661	1101	24216	1132	25282
250	24633	1102	24216	1136	25282
301	25664	1106	24216	1701	24660
354	23934	1108	24216	8 CFR	
401	25907	1120	24216	214	24891
725	23935	1121	24216	238	24891
777	25665	1124	24216	73	24346
864	25427	1125	24216	82	23940
905	25665	1126	24216	94	24891, 25669
908	24215, 25431, 25907	1127	24216	97	23940
910	24345, 24890, 25908	1128	24216	319	24640
928	24345	1129	24216	PROPOSED RULES:	
		1130	24216	94	24219
		1131	24216	102	23957
		1132	24216	104	23957
		1133	24216	113	26118
		1134	24216	381	24374
		1136	24216	10 CFR	
		1137	24216	110	23953
		1138	24216		
		1139	24216		
		1421	23935, 24634, 25668, 26006		
		1430	23939		
		1866	24346		

12 CFR		Page	19 CFR		Page	24 CFR—Continued		Page
201	23772		Ch. I	25171		1914	23943-	
204	25985		1	24354, 25171			23945, 24355-24357, 25677, 25678,	
217	26109		4	24354			25994, 26113, 26114	
329	25432		PROPOSED RULES:			1915	24358, 24360	
526	23940, 25433		1	24374, 25185		PROPOSED RULES:		
545	24200		10	25995		20	24222	
546	24201		11	25995		201	23803	
561	26110		12	25995		205	26132	
563	24202, 26110		19	25995		242	26132	
566	26112		24	23954		244	26132	
570	26112		25	25995		25 CFR		Page
PROPOSED RULES:			113	25995		141	24638	
204	25703		114	25995		251	25987	
220	26009		141	23954		252	25988	
545	24228, 26133		142	25995		256	23945	
13 CFR			151	25448		PROPOSED RULES:		
PROPOSED RULES:			172	25995		221	23954, 23955	
107	24028		20 CFR			243	26118	
14 CFR			725	26042		26 CFR		
39	23941,		PROPOSED RULES:			1	24206	
	24347, 24349, 24640, 24641, 25170,		405	23802, 25448, 26132		29 CFR		
	25669, 25670, 25905		725	26069		610	25988	
71	23941,		21 CFR			612	25989	
	23942, 24204, 24350, 24641, 24892,		8	24643		614	25989	
	25171, 25433, 25905-25907, 26112		9	24208		1907	25150	
75	24204, 25171		26	25985		1952	24896, 25172	
91	24893		45	25671		1953	24361	
95	24893		121	24354, 24643, 25437		PROPOSED RULES:		
97	24350		135	23942		1910	24300, 24375	
208	24642		135b	24355, 24643, 24895, 25673		30 CFR		
241	24351		135c	24355, 24644, 25673		57	23781	
288	23772		135e	25674, 25676		PROPOSED RULES:		
302	24894		141	25674		504	24024	
389	24895, 26113		144	25437		31 CFR		
399	23777, 24642		146	25674		91	94897	
PROPOSED RULES:			149b	25674		315	24762	
37	25450		149d	25675		605	24898	
39	23962		PROPOSED RULES:			32 CFR		
61	23962		10	25195		166	25990	
71	23804,		121	24374, 14375, 25694		809	23945	
	23969, 24222, 24914, 25195, 25451,		130	24220		1285	24206	
	25452, 25696, 26007		135	25694		1453	24210	
75	23804		141e	26006		PROPOSED RULES:		
121	23962		273	26130		1604	25704	
Ch. II	24660		278	26007		32A CFR		
221	23804		23 CFR			Ch. IV:		
241	24223, 24661		PROPOSED RULES:			BP Notice 1	25175	
298	23805, 24662		770	23969		Ch. X:		
72a	24664		772	25696		Reg. 1		
389	24662		24 CFR			Ch. XI		
399	25453		42	25172, 26113		OIAB Rules and Procedures	26103	
15 CFR			200	25993		Ch. XIII:		
8	23777		201	25676		EPO Reg. 3	23977	
256	25908		203	24637		PROPOSED RULES:		
376	23777, 25446		205	24637, 24896		Ch. X	26005	
377	25184		207	24637		33 CFR		Page
1000	25909		213	24637		117	25433, 26115	
16 CFR			220	24637		127	24898	
13	24352, 24353, 24634, 25434-25436		221	24637		207	25176	
PROPOSED RULES:			232	24637		401	24210	
1700	25195		234	24637		PROPOSED RULES:		
17 CFR			235	24638		117	24912-24914, 25455	
211	24635		236	24638		127	23804	
231	24635		241	24638		24 CFR—Continued		
241	24635		242	24638				
251	24635		244	24638, 24896				
271	24635		1700	23866				
PROPOSED RULES:			1710	23866				
230	24668		1715	23873				
270	26133		1720	23874				

35 CFR	Page	42 CFR	Page	47 CFR—Continued	Page
5	25438	21	25683	PROPOSED RULES:	
36 CFR		43 CFR		61	24920
50	24218	4	23948	73	25703, 26008
221	23948	3830	24650	83	25196
PROPOSED RULES:		4710	24650	49 CFR	Page
7	23796, 24912, 25185	PUBLIC LAND ORDERS:		1	24901, 24902
38 CFR		5383	25684	170	23791
1	24364	45 CFR		171	23792
2	24366	909	24900	172	23792
17	24366	PROPOSED RULES:		177	23792
21	23948	221	24872	178	23792
36	25678	233	23802	393	25182
39 CFR		250	25450	570	23949, 25685
3000	24898	903	23912	1033	23792, 23793, 23952, 24212, 24902, 25183, 25685
3001	24898	46 CFR		1048	24368
40 CFR		PROPOSED RULES:		1115	23953, 24903, 25686
35	24639	146	23959	1121	24902
50	25678	542	23979	PROPOSED RULES:	
52	24333	538	24228	172	24915
113	25439	47 CFR		173	24915
126	25681	0	24900	393	24223, 25452, 25696
129	24342	2	24901, 25180, 25991	542	23979
180	23781, 25440	13	25684	571	23804
PROPOSED RULES:		23	24901	1057	24228
51	25697	73	24367, 25991	1131	23979
52	23805	74	25991, 25992	50 CFR	
180	23806, 24667, 24918, 25455	81	24211, 25180, 25991	20	23793
411	24462	83	24368, 25180, 25992	32	23793, 23794, 24212, 24369-24373, 24650-24652, 25183, 25441-25445, 25686, 25992, 26115, 26116
412	24466	87	25684	33	25445
422	24470	89	24901	253	26116
41 CFR		91	25182	PROPOSED RULES:	
1-1	24210	93	24901	21	23796
1-9	23782	97	24211	32	25693
1-18	23791				
3-16	24644				
114-50	24649				

FEDERAL REGISTER PAGES AND DATES—SEPTEMBER

Pages	Date
23765-23922	Sept. 4
23923-24184	5
24185-24326	6
24327-24625	7
24627-24874	10
24875-25154	11
25155-25420	12
25421-25654	13
25655-25895	14
25897-26091	17
26093-26171	18

now available
15-year Cumulation

LAWS AFFECTED TABLES FOR 1956-1970

VOLUMES 70-84

UNITED STATES STATUTES AT LARGE

Lists all prior laws and other Federal instruments which were amended, repealed, or otherwise affected by the provisions of public laws enacted during the years 1956-1970. Includes index of popular name acts affected in Volumes 70-84.

**Price: \$8.15 domestic postpaid;
\$7.50 GPO Bookstore**

Compiled by Office of the Federal Register,
National Archives and Records Service,
General Services Administration

Order from Superintendent of Documents,
U.S. Government Printing Office
Washington, D.C. 20402

